

Lawson urged the General Assembly to end this practice and reassert its rightful policy role by "requiring the [General] Assembly's approval for any consent decree or court-approved settlement to which the state is a party that modifies or prevents a statute's implementation.

###

**Interested Party Testimony on House Bill 301
Before the Ohio House Government Accountability and Oversight Committee**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
March 14, 2018**

Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde, and members of the Committee, thank you for the opportunity to testify today regarding House Bill 301.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

House Bill 301 takes a significant stride toward correcting the pernicious but all-too-common practice known as "sue and settle." Special interests pursue a "sue and settle" scheme by filing a lawsuit against the state challenging state laws, regulations, or policies in the hope of reaching a favorable court-ordered settlement that effectively frustrate the state's policy objective.

Ultimately, of course, "sue and settle" lawsuits circumvent the constitutional prerogative of the General Assembly to make policy.

The troubling "sue and settle" strategy has become so widespread at the state and federal levels that the U.S. Chamber of Commerce has called such special interest lawsuits what they really are: "regulating behind closed doors."[1]

Indeed, the U.S. Environmental Protection Agency has acknowledged the problem of backroom "regulation through litigation," and has recently amended the process by which the EPA will agree to consent decrees.[2]

The Buckeye Institute is pleased that Ohio appears ready to take similar, reasonable steps with Representative Butler's House Bill 301 to curb backroom settlements that often muddy regulatory waters that should be clear and transparent.

In our view, House Bill 301 reasserts the General Assembly's rightful policy role by requiring the Assembly's approval for any consent decree or court-approved settlement to which the state is a party that modifies or prevents a statute's implementation. With such a requirement, House Bill 301 will return power to Ohio's electorate by restoring transparency to a legislative and regulatory process that has been strategically hijacked by special interests and their lawyers.

We applaud this effort as sound regulatory policy, and we encourage the General Assembly to end the unsettling practice of "sue and settle" litigation.

Thank you for your time and consideration. I would be happy to answer any questions that the Committee may have at this time.

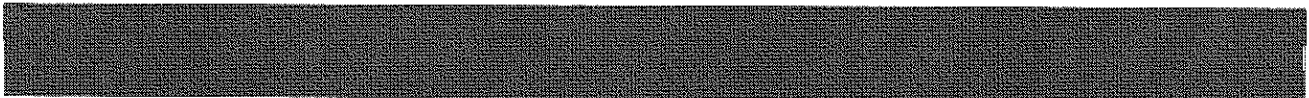
[1] U.S. Chamber of Commerce, **Sue and Settle: Regulating Behind Closed Doors**, March 6, 2018.

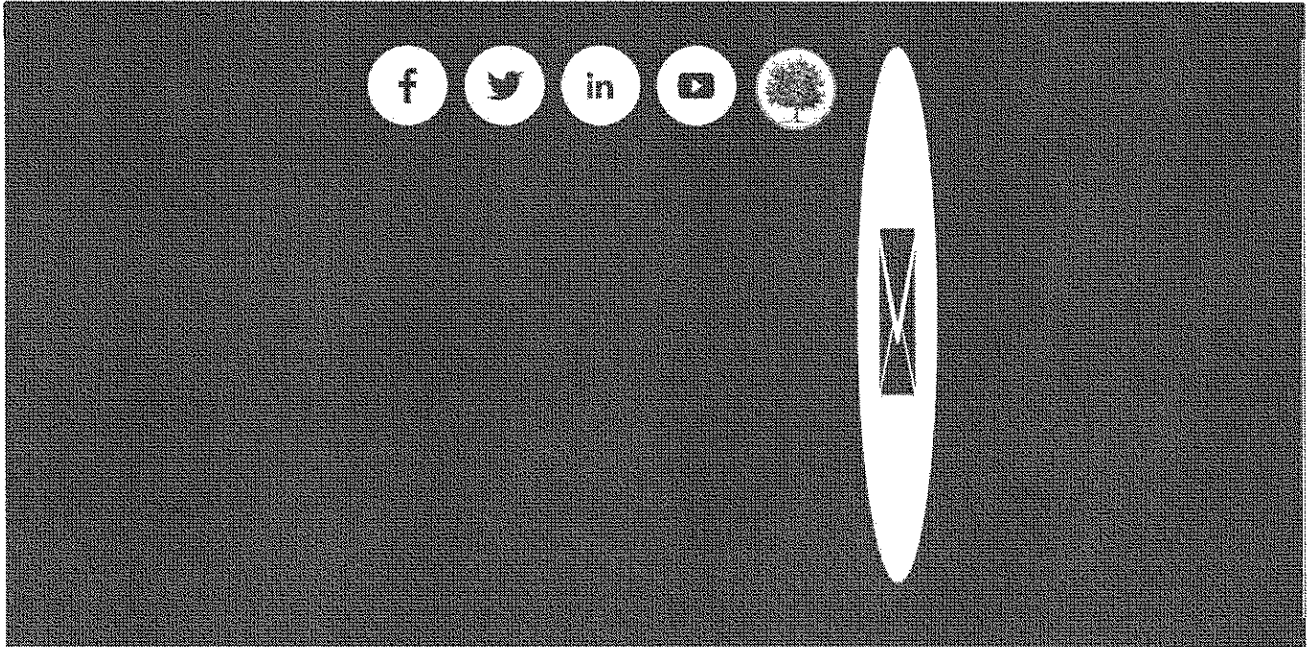
[2] Administrator Pruitt Issues Directive to End EPA "Sue & Settle" United States Environmental Protection Agency press release, October 16, 2017.

###

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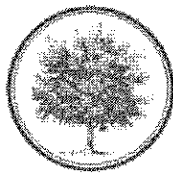
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THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

March 14, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

**The Buckeye Institute: Sales Tax Holidays are
More Gimmick, Less Reform**

*Greg Lawson Submits Testimony to the Ohio House Ways
and Means Committee on Senate Bill 226*

Columbus, OH -- The Buckeye Institute's Greg R. Lawson submitted written testimony today (see full text below or **download a PDF**) to the Ohio House Ways and Means Committee on Senate Bill 226.

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In opening his testimony, Lawson outlined the downsides of special interest tax deductions, which narrow the tax base, raise taxes, and offer preferential treatment to special interests.

Pointing to a **report by the non-partisan Tax Foundation**, Lawson went on to say of sales tax holidays, they "represent more of a gimmick than fundamental reform."

Lawson also noted that the Tax Foundation report questioned how much of a savings sales tax holidays offered consumers, highlighting that retailers may raise prices to capture a portion of the tax savings. "This practice alone would suggest that consumers would benefit more from a flatter tax without special exemptions rather than a one-time-a-year sales tax break."

After the bill passed out of committee Lawson said, "Though the legislation did clear the committee and seems poised for passage, it remains critical to examine all such tax expenditures to avoid reducing the overall competitiveness of our full tax code."

###

**Interested Party Testimony on Senate Bill 226
to the Ohio House Ways and Means Committee**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
March 14, 2018**

Chairman Schaffer, Vice Chair Scherer, Ranking Member Rogers, and members of the Committee, thank you for the opportunity to submit testimony regarding Senate Bill 226 and Ohio's tax policy.

My name is Greg R. Lawson. I am the research fellow at The Buckeye Institute, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

According to the Ohio Department of Taxation, a tax expenditure is any tax policy that has the following four characteristics:[1]

- The item reduces, or has the potential to reduce, one of the state's General Revenue Fund taxes;
- The item would have been part of the defined base;
- The item is not subject to an alternative tax; and

- The item is subject to change by state legislative action.

The Buckeye Institute has long opposed most tax expenditures, including credits and exemptions, because of their adverse impacts on taxpayers and the level playing field on which a free market depends.

As exceptions to the tax code, tax expenditures effectively narrow the tax base. The narrower the tax base the higher and more confiscatory taxes become for those still subject to the tax. Thus, tax expenditures, however unintentionally or well-intended, eventually pick economic winners and losers through their preferential treatment under the law.

Flatter taxes, by contrast, levied on broader bases and without special exemptions, lower the tax burden and spread the cost of the tax more evenly and fairly among taxpayers.

Sales tax holidays, in particular, represent more of a gimmick than fundamental reform. As the non-partisan Tax Foundation points out, rather than moving Ohio to a flatter tax, sales tax holidays introduce complexity and instability to sales tax collections.[2]

Additionally, there is uncertainty as to how large of a savings sales tax holidays offer the consumer with some research showing that retailers may raise prices to capture a portion of the tax savings that are anticipated by consumers.[3] This practice alone would suggest that consumers would benefit more from a flatter tax without special exemptions rather than a one-time-a-year sales tax break.

Thank you again for the opportunity to submit written testimony to the Committee.

[1] State of Ohio, **Fiscal Year 2018-2019 Tax Expenditure Report**, Office of Budget and Management, November 25, 2016.

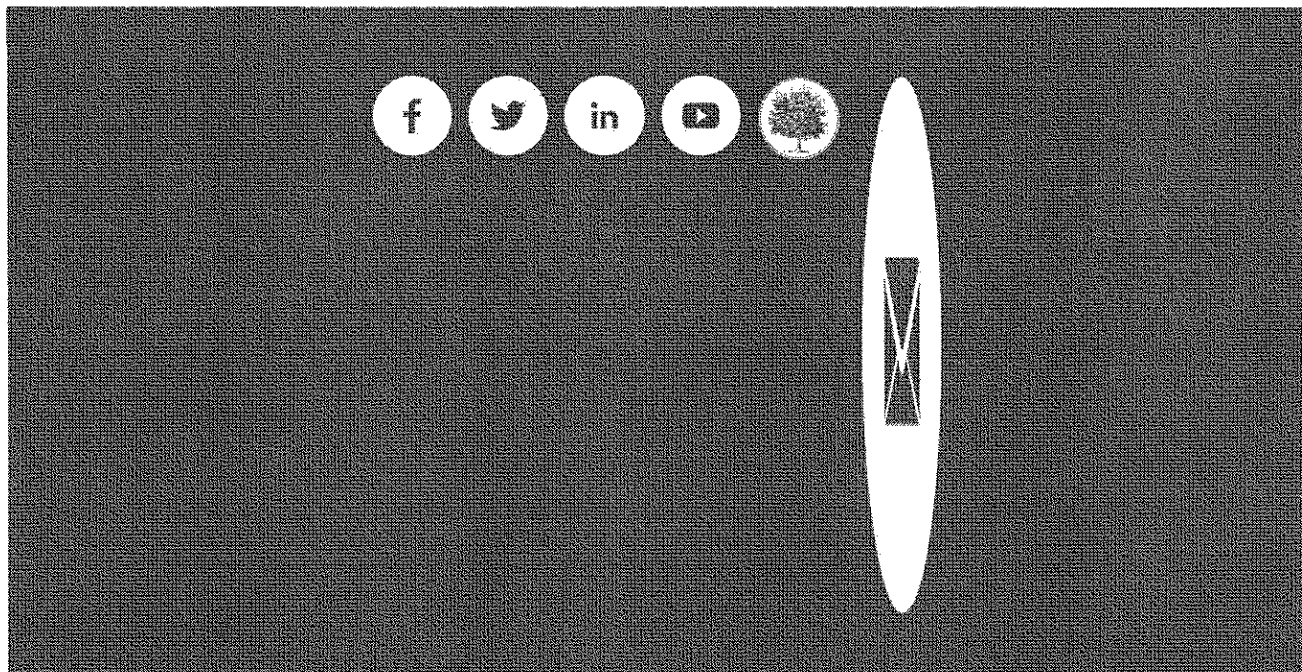
[2] Joseph Bishop-Henchman and Scott Drenkard, *Sales Tax Holidays: Politically Expedient but Poor Tax Policy, 2017*, Tax Foundation, July 25, 2017.

[3] *Ibid.*

###

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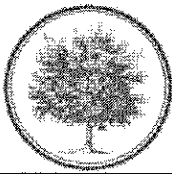
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THE BUCKEYE INSTITUTE

Friends,

You may have seen our invitation for this event previously. If so, consider this to be a reminder. If not, consider yourself formally invited, and see the details below. We'd love to have you with us.

Update: We added another table to the room for our luncheon with **Arthur Brooks** on Wednesday at noon, but once that last table is full -- as predicted -- the event will be sold out. Also, another and probably more intriguing piece of breaking news: This may be your last chance to hear Arthur Brooks in his role as AEI President. See his announcement in *The Wall Street Journal* of passing the torch next year [here](#).

Please do register to attend if you would like to occupy one of those additional seats and take advantage of this special opportunity to hear from him firsthand.

You are cordially invited to join us for an extraordinary luncheon talk featuring American Enterprise Institute (AEI) President Arthur Brooks on Wednesday, March 21, at noon.

This is one event that you don't want to miss, so **register soon**. Further details are available by following the registration link.

We hope to see you Wednesday!

Sincerely,
The Buckeye Institute team

Register to Attend

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Legislative Bulletin

March 16, 2018

OML UPDATE AT-A-GLANCE

Here are the top three things you need to know from this past week:

- An appeal has been filed by approximately 160 municipalities in the ongoing municipal lawsuit challenging the state's centralized collection of net profit business filings as made law in HB 49. Judge David Cain of the Franklin County Common Pleas Court rejected a request to stay his ruling in favor of the state while the municipalities' appeal the ruling to the 10th District Court of Appeals.
- The Bureau of Worker's Compensation has received 444 applications for their Firefighter Exposure to Environmental Elements Grant Program. The number of grants awarded would total \$4.7 million. The BWC has indicated their intention to award the grant to every qualifying fire department.
- The Ohio unemployment rate dropped from 4.9% in December to 4.7% in January. The national unemployment rate stays at 4.1% for the fifth consecutive month.

OML ANNOUNCES DATES FOR UPCOMING REGIONAL CONFERENCES

This year, the Ohio Municipal League is excited to announce the launch of our first-ever Regional Conferences. Throughout the spring and summer of 2018, the League staff will be bringing important elements of our Annual Conference right to the doorstep of the local leaders who serve Ohio's cities and villages.

This new adventure was catalyzed by the understanding that not all who wish to attend our Annual Conference are able to, whether they are prevented by the distance or time constraints. The goal of our Regional Conferences is to alleviate both of those concerns. We will be condensing timely parts of our Annual Conference down to a single day of workshops, sessions and featured speakers. It is our hope that these conferences give all local officials the ability to hear speakers, attend workshops and connect with local leaders.

The dates and locations for the Regional Conferences are as follows:

- **Southeast:** Friday, May 18th at the Ohio University Conference Center in Athens.
- **Southwest:** Friday, June 8th at the Manor House Banquet Center in Mason.
- **Northeast:** Friday, June 23rd at the Pro Football Hall of Fame in Canton.
- **Northwest:** Friday, August 17th at the Hancock Hotel in Findlay.

Registration forms will be electronically distributed shortly. We encourage you to sign up as soon as possible, as space will be limited, and we look forward to seeing you there!

SMALL CELL BILL GETS SECOND HEARING IN SENATE COMMITTEE

This week, many representatives from the interested parties who collaborated for months on the correcting the language in last year's SB 331 preempting the local control of small cell infrastructure deployment spoke in favor of the compromise they had reached. HB 478, which is sponsored by Rep. Smith (R - Bidwell) and Rep. LaTourette (R - Chesterland) modifies the law regarding wireless service and the placement of small cell wireless facilities in the public way.

During its second hearing before the Senate Public Utilities Committee, Dana McDaniel, City Manager for the Dublin spoke before the committee, thanking the legislative leadership that facilitated the compromise and praising the work of the many coalitions who worked to make this legislation possible. The League's Executive Director, Kent Scarrett, submitted written proponent testimony, which you can read [HERE](#). The committee was also given written testimony from Ted Staton from Upper Arlington, Don Schonnhardt from Hillard, Keary McCarthy from the Ohio Mayors Alliance, and representatives from the Ohio and Columbus Chambers of Commerce as well as Verizon. We will continue to report on the progress of this bill as it moves through the legislative process.

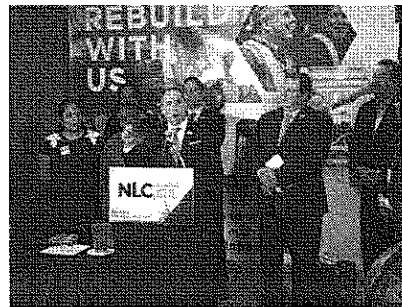
OML ATTENDS NATIONAL LEAGUE OF CITIES CONFERENCE IN WASHINGTON, D.C.

This week, the League's Executive Director, Kent Scarrett, and the League's Legal Counsel, Garry Hunter attended, the National League of Cities' 2018 Congressional City Conference in Washington, D.C. There, they were joined 80 municipal officials representing Ohio in order to jointly lobby Congress on behalf of Ohio's cities and villages, along with 2,300 other city leaders and delegates across the country. The conference's central theme was "Rebuild with Us", coordinating a united message from municipalities throughout the nation about the crucial importance of investing in and rebuilding America's infrastructure. This theme certainly echoed the message we hear from local leaders across the state: it is vital that we reinvest in Ohio's infrastructure.

Attendees also had the opportunity to attend general sessions and workshops, where discussions tackled topics such as data and technology, the opioid crisis, legislation and regulations, housing, safety practices and advocacy efforts. The conference also featured

keynote speeches from figures like Ben Carson, the Secretary of the U.S. Department of Housing and Urban Development; Gale Brewer, Borough President form Manhattan, NY; and Mayor Bill de Blasio of New York City.

The League is grateful to the NLC for providing an opportunity for municipal leaders to discuss pressing local issues, hear from seasoned speakers and advocate on behalf of their city or village before Congress. NLC is an invaluable resource that allows municipal officials opportunities from networking and interfacing on best practices to advocating directly to members of Congress, and it is our hope many more local leaders will get involved this year. We want to thank each Ohio municipal leader who traveled to D.C. on behalf of their community. We hope to see you and many more local Ohio leaders at the conference next year!



We want to thank Cleveland council member and former NLC President Matt Zone and his team for their leadership and hard work to make the conference such a success.

COMMITTEE RECAP: HEARINGS FOR BILLS OF MUNICIPAL INTEREST

Here are the bills that impact municipalities that received committee hearings this week:

- **HB 488 - TAX LEVIES.** Sponsored by Rep. Hood (R - Ashville) and Rep. Becker (R - Union Township), modifies the information conveyed in election notices and ballot language for property tax levies. During its second hearing before the House Ways and Means Committee, it was announced that the bill would actually not be heard in committee that day. The League is still looking into this legislation.
- **HB 530 - LOCAL OFFICIALS/LODGING TAX.** Sponsored by Rep. Hambley (R - Brunswick) and Rep. Arndt (R - Port Clinton), this bill would authorize

local elected officers that have levied a hotel lodging excise tax, or a designee of such officers to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices. During its first hearing before the House State and Local Government Committee, the bills sponsors explained how allowing local elected officials to serve on boards of convention and visitors bureaus can help with local economic development efforts. The League is neutral on this legislation.

- **SB 252 - LOCAL OFFICIALS/LODGING TAX** Sponsored by Rep. Peterson (R - Sabina), this bill would authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices. During its first hearing before the Senate Ways and Means Committee, Sen. Peterson explained the bill codifies common practice in allowing "dual service." The League is neutral on this bill.
- **HB 484 - HEALTH DISTRICT CREDIT CARDS.** This bill, sponsored by Rep. Brenner (R - Powell), would authorize city and general health districts to use credit cards in accordance with prescribed requirements. During its second hearing before the House State and Local Government Committee, a representative from the Association of Ohio Health Commissioners said the bill recognizes the need to use a credit card to purchase goods or services from a supplier has become universal, due to the online nature of many transactions. She also spoke to a forthcoming amendment allowing health districts to call themselves any name that includes "public health" in the title for "public relations purposes." The League is neutral on this bill.
- **HB 382 - UNEMPLOYMENT COMPENSATION LAW.** Sponsored by Rep. Schuring (R - Canton), this bill would modify terms describing payments made under the Unemployment Compensation Law, increase the amount of wages subject to unemployment compensation premiums, require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, reduce the maximum number of benefit weeks, and to make other

changes to the Unemployment Compensation Law. During its seventeenth and eighteenth hearings before the House Government Accountability and Oversight Committee, no testimony was heard on this bill. The League is neutral on this legislation.

- **HJR 4 - UNEMPLOYMENT COMPENSATION BONDS.** Sponsored by Rep. Schuring (R - Canton), this joint resolution would enact Section 2t of Article VIII of the Constitution of the State of Ohio to allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program. During its seventeenth and eighteenth hearings before the House Government Accountability and Oversight Committee, no testimony was heard on this bill. The League is neutral on this joint resolution.
- **HB 469 - MIXED-USE TAX CREDITS.** Also sponsored by Rep. Schuring (R - Canton), this bill would authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed-use development projects. During its fourth hearing before the House Government Accountability and Oversight Committee, no testimony was given on this bill. This bill is an important tool for economic development and job creation for municipal downtowns, and the League is a strong supporter of this legislation. You can read Executive Director Kent Scarrett's proponent testimony, submitted in previous hearings, [HERE](#).
- **HB 529 - CAPITAL APPROPRIATIONS.** This bill, sponsored by Rep. Ryan (R - Newark), makes capital appropriations and changes to the law governing capital projects and makes re-appropriations for the biennium ending June 30, 2020. During its first hearing before the Senate Finance Committee, the committee heard testimony from the Buckeye Institute regarding their report criticizing several select projects slated to be funded by the bill. The bill was voted unanimously out of committee. The League is supportive of this legislation.

COMMITTEE SCHEDULE FOR THE WEEK OF MARCH 18, 2018

Tuesday, March 20, 2018

HOUSE FINANCE

Tue., Mar. 20, 2018, 10:00 AM, Hearing Room 313

Rep. Smith: 614-466-1366

HB378 OHIO BROADBAND DEVELOPMENT (SMITH R, CERA J)** To create the Ohio Broadband Development Grant Program and to make an appropriation.

Eighth Hearing, All Testimony, AMENDMENTS/SUBSTITUTE BILL/POSSIBLE VOTE

SENATE JUDICIARY

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Tue., Mar. 20, 2018, 10:15 AM, North Hearing Room

Sen. Bacon: 614-466-8064

SB250 CRITICAL INFRASTRUCTURE FACILITY TRESPASS (HOAGLAND F)** To prohibit criminal mischief, criminal trespass, and aggravated trespass on a critical infrastructure facility, to impose fines for organizations that are complicit in those offenses, and to impose civil liability for damage caused by trespass on a critical infrastructure facility.

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First Hearing, Sponsor Testimony

HB276 THREATENING UTILITY WORKERS (REZABEK J, GREENSPAN D)** To expand the offense of aggravated menacing to prohibit threatening a utility worker with intent to obstruct the operation of a utility.

First Hearing, Sponsor Testimony

HOUSE ECONOMIC DEVELOPMENT, COMMERCE AND LABOR

Tue., Mar. 20, 2018, 1:30 PM, Hearing Room 113

Rep. Young: 614-644-6074

HB164 ROOFING CONTRACTORS LICENSURE (PATTON T)** To require commercial roofing contractors to have a license.

Fourth Hearing, All Testimony

HOUSE STATE AND LOCAL GOVERNMENT

Tue., Mar. 20, 2018, 2:00 PM, Hearing Room 017

Rep. Anielski: 614-644-6041

HB484** HEALTH DISTRICTS-CREDIT CARDS (BRENNER A) To authorize city and general health districts to use credit cards in accordance with prescribed requirements.

Third Hearing, All Testimony

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HB530** LOCAL OFFICIALS-INCOMPATIBLE OFFICES (HAMBLEY S, ARNDT S) To authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices.

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Second Hearing, All Testimony

HB543** PROSECUTING ATTORNEY-REGIONAL AUTHORITY ADVISER (PERALES R, HAMBLEY S) To allow a county prosecuting attorney to enter into a contract with a regional airport authority, port authority, or regional planning commission to be its legal adviser.

First Hearing, Sponsor Testimony

Thursday, March 22, 2018

SENATE PUBLIC UTILITIES

Thu., Mar. 22, 2018, 9:00 AM, Senate Finance Hearing Room

Sen. Beagle: 614-466-6247

HB478** SMALL CELL WIRELESS (SMITH R, LATOURETTE S) To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way.

Third Hearing, Opponent/Interested Party Testimony

**CHECK OUR WEBSITE MONDAY FOR ANY CHANGES TO THE
COMMITTEE SCHEDULE**

Up Coming Meetings & Events

OML/OMAA Webinar Beyond Sexual Harassment	March 22, 2018 10:00 am ~ 11:00 am	<u>Registration Information</u>
Newly Elected Council Training Seminars	March 24th	<u>Registration Information</u>

Ohio Municipal League

Legislative Inquires:

Kent Scarrett, Executive Director

Edward Albright, Deputy Director

Ashley Brewster, Director of Communications

Rachel Massoud, Legislative Advocate

Website/Bulletin Issues:
Zoë Wade, Office Manager

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From: Fiore, Anthonio
Sent: Friday, March 16, 2018 7:03 PM
To: Fiore, Anthonio
CC: Elizabeth Murch
Subject: Urging Your Support for Sub. HB 189 Before the Spring Recess
Attachments: Eric_Bakken_Regis Corporation_Sub_HB_189_Letter_Of_Support_Signed.pdf; 2018_0316 OSA Ltr to All Ohio House Members Urging Support for Sub HB 189 - FINAL.pdf

Dear Ohio House members,

We are writing to ask for your **support** and **expeditious passage** of the **occupational licensure reforms** to Ohio's cosmetology industry contained in **Sub.HB 189** before the Spring recess. The announcement this week of more private cosmetology schools closing makes it more important than ever to pass the reforms contained in **Sub. HB 189**. **Six additional school closures** were announced bringing the total number to **28 closures since May 2015** (or around 30%). In addition, we have included a few items raised by opponents that we are willing to work on in the Senate if the bill is favorably passed off the House floor.

I've also attached a list of all public testimony on **HB 189**. In addition the **letters of support from smaller salon owners** around the state, we just received the attached letter of support from Regis Corp that has over 30 brands under its umbrella with hundreds of locations across all 88 counties.

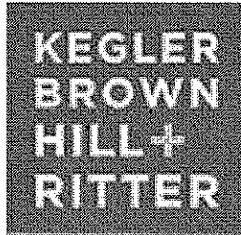
Have a great weekend. Please let me know if you have any questions.

Best regards,

Tony

Anthonio C. Fiore
Of Counsel

65 East State Street | Suite 1800 | Columbus, OH 43215
direct (614) 462-5428 | mobile (614) 906-8669 | fax (614) 464-2634



afiore@keglerbrown.com

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5th Hearing – March 7, 2018

Bill	Status	Amendments	Fiscal Notes	Analysis
H. B. No. 189	5th Hearing		Download	Download
Witness	Organization	Stance	Document	
Wezlynn Davis	null	Opponent	Download	
Patrick Thompson	null	Opponent	Download	
Don Boyd	Ohio Chamber of Commerce	Proponent	Download	
Sue Carter Moore	Ohio Association of Cosmetology Schools	Opponent	Download	
Nancy Brown	Brown Aveda Institute	Opponent	Download	
Brandon Ogden	null	Proponent	Download	
Natalie Lockhart	JCPenney Salon	Proponent	Download	

4th Hearing – February 27, 2018

Bill	Status	Amendments	Fiscal Notes	Analysis
H. B. No. 189	4th Hearing	132 1073-3	Download	Download
Witness	Organization	Stance	Document	
Lisa Nelson	null	Proponent	Download	
Ohio Salon Association	null	Proponent	Download	
Don Boyd	null	Proponent	Download	
Clara Osterhage	null	Proponent	Download	
Chris Ferruso	NFIB	Proponent	Download	

3rd Hearing – June 21, 2017

Bill	Status	Amendments	Fiscal Notes	Analysis
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H. B. No. 189	3rd Hearing	—	Download	Download
Witness	Organization	Stance	Document	
Greg Lawson	The Buckeye Institute	Interested Party	Download	
Michael Shuh	null	Proponent	Download	
Mahlaina Yeager	null	Proponent	Download	
Dana Pallatos	null	Proponent	Download	
Bridget Sharpe	Professional Beauty Association	Proponent	Download	
Myra Reddy	Future of Beauty Industry Coalition	Proponent	Download	
NeCole Cumberlander	null	Proponent	Download	
Rowena Yeager	null	Proponent	Download	
Beth Hickey	null	Proponent	Download	
David Boucher Additional	null	Proponent	Download	
David Boucher	null	Proponent	Download	
Rachelle King	null	Proponent	Download	
Kerry Sawyer	null	Proponent	Download	
Nancy Brown	null	Opponent	Download	
Wezlynn VanDyke Davis	null	Opponent	Download	
Patrick Thompson	null	Opponent	Download	
Angela Harvey	null	Opponent	Download	
Jill Hawkins Mitchell	null	Opponent	Download	
Gerry Reis	null	Opponent	Download	
Will Molden	null	Opponent	Download	
Chris Ferruso	NFIB	Proponent	Download	

2nd Hearing – May 23, 2017

Bill	Status	Amendments	Fiscal Notes	Analysis
H. B. No. 189	2nd Hearing	—	Download	Download
Witness	Organization	Stance	Document	
Tony Fiore	Ohio Salon Association	Proponent	Download	
Clara Osterhage	null	Proponent	Download	
Charles Penzone	The Charles Penzone Salons	Proponent	Download	
Frank Gambuzza	null	Proponent	Download	
Lori Yearger	SportClips	Proponent	Download	
Debra Tillery	null	Proponent	Download	

Stefan Eckert	Great Clips	Proponent	Download
Bridget Sharpe	Professional Beauty Association	Proponent	Download
Frank Schoeneman	Empire Education Group	Proponent	Download
Tom Quick and Lisa Groome	Roosters Men's Grooming Center	Proponent	Download
Tasha Shepline	null	Proponent	Download
Gordon Logan	Sports Clips	Proponent	Download
Dub Nelson	Roosters Men's Grooming Centers	Proponent	Download

1st Hearing – May 17, 2017

Bill	Status	Amendments	Fiscal Notes	Analysis
H. B. No. 189	1st Hearing		Download	Download
Witness	Organization	Stance	Document	
Rep Roegner	null	Proponent	Download	
Rep Reece	null	Proponent	Download	

Regis
7201 Metro Boulevard | Minneapolis, MN 55439 | 952-947-7777

March 15, 2018

To: All Ohio House of Representatives

From: Eric Bakken
EVP, President—Franchise

RE: Urging your support for Sub. HB 189

My name is Eric Bakken, and I serve as the Executive Vice President and President—Franchise for Regis Corporation. I'm writing to urge your support for Sub. HB 189.

Regis Corporation is a leader in beauty salons and cosmetology education. As of December 31, 2017, the we owned, operated, franchised or held ownership interests in over 8,800 locations worldwide. We also maintain an ownership interest in Empire Education Group in the U.S. Regis owns or franchises 386 salon locations in Ohio, amounting to over 2,000 stylists and managers in the state. We operate under several brands in all 88 counties throughout Ohio, including: Best Cuts, Borics Hair Care, Famous Hair, Fiesta Salons, First Choice Haircutters, Haircrafters, Mastercuts, Regis Salons, Roosters, Saturdays, SmartStyle, and Supercuts.

At Regis, we are deeply committed to providing our customers with the safest and highest quality experience in our salons. To achieve this, we ensure our stylists and managers are properly educated and licensed in accordance with state regulations. We also offer our team members continued education and training to refine their skills, keep on trend and to stay in tune with the latest sanitary protocols. However, our industry has become increasingly competitive, most of which is attributable to a shortage in skilled labor. That's why for over four years, Regis has supported a group called the Future of the Beauty Industry Coalition (FBIC) whose main purpose is to provide reasonable reforms to state cosmetology law using research and analytics from all 50 states.

The FBIC consists of cosmetologists, students, salon owners, manufacturers, distributors, and cosmetology schools. The FBIC values our industry's appreciation of safety and quality, and therefore has proposed Sub. HB 189 which modifies the existing law and reduces the Ohio license minimum hour requirements from 1,500 to 1,000, as opposed to a complete deregulation of the industry. In addition, Sub. HB 189 lays the groundwork for model occupational licensing reform legislation for the cosmetology industry in all 50 states and helps to eliminate a barrier of entry into our industry.

The minimum 1,500 hours state licensing requirement serves as a barrier of entry into the beauty industry. In addition, Ohio's reciprocity law requires a licensee to sit for an Ohio exam even though they may have passed another state's licensing exam a month or so before. This doesn't help our stylist be mobile in deciding where to work and live, especially near Ohio's boarding counties. Sub. HB 189 reduces the hours to 1,000 hours for a full cosmetology license and helps out of state licensees come to Ohio to work and raise a family.

For these reasons, I am writing on behalf of Regis Corporation in support of the Ohio Salon Association's proposed comprehensive reform package to Ohio's cosmetology laws contained in Sub. HB 189 (and the

REGIS CORPORATION

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companion bill in the Ohio Senate, SB 129). This reform is a positive step for our industry, and I respectfully request this committee's support on the work being done here.

Thank you for your consideration and the opportunity to submit this letter in support of Sub. HB 189.



Eric Bakken
EVP, President—Franchise
Regis Corporation



OSA

OHIO SALON ASSOCIATION

March 16, 2018

Dear Representative:

We are writing to ask for your **support** and **expeditious passage** of the **occupational licensure reforms** to Ohio's cosmetology industry contained in **Sub. HB 189** next Wednesday, March 21, 2018. The announcement this week of more private cosmetology schools closing makes it more important than ever to pass the reforms contained in **Sub. HB 189**. Six additional school closures were announced bringing the total number to 28 closures since May 2015 (around 30%). In addition, we have included a few items raised by opponents that we are willing to work on in the Senate if the bill is favorably passed off the House floor.

Sub. HB 189 will:

1) Support Ohio's Attainment Goal 2025, that includes:

- a) **helping more Ohioans compete for quality jobs** that pay a family-sustaining wage and lead to career advancement;
- b) **removing barriers to education and employment** for individuals;
- c) **helping Ohio employers find the talent** they need to succeed and grow;
- d) **providing effective and efficient job training aligned to in-demand occupations** and employer needs resulting in **workplace-valued credentials**; and
- e) **assisting in achieving the attainment goal** of the Governor's Executive Workforce Board, Ohio Department of Education and Ohio Department of Higher Education to have 65% of Ohioans ages 25 to 65 achieve a credential/license or degree by 2025. (Ohioans are currently at 43% of that attainment goal.)

2) Lower hours to reduce the barrier for women, men and minorities to enter the beauty industry. The bill:

- a) supports the notion that government should only mandate the minimum number of hours necessary to ensure safe and sanitary cosmetology practices as a barrier to entry into the profession – **1,000 hours is the correct requirement** – though some believe this is still too many hours;
- b) equalizes the government mandated hours between public and private schools. Public schools in Ohio **are already teaching at 1,000 hours** and producing graduates who are entering the workforce with similar graduation rates, licensure rates and earning potential;
- c) maintains high training standards without mandating an additional 500 hours on private school students. A national study as well as salon owners indicate that **more time in school does not make the student more job ready**;
- d) acknowledges that there are **currently more public students entering the profession at 1,000 hours** of training rather than private schools at 1,500 hours;
- e) ensures private schools are still able to obtain federal funding for students at 1,000 hours, can require 500 additional hours and charge whatever they want for tuition – the question is whether students will be willing to pay for and attend such programs – the free market will decide; and,
- f) creates an **apprenticeship option** for future cosmetology students to earn a wage while they learn about the beauty industry. Under today's 1,500-hour program students are forced to pay tuition and provide services to the public in school clinics without compensation for hundreds of hours.

- 3) **Stop Ohio law from unfairly requiring private cosmetology education mandating 1,500 hours at the expense of students when public schools already teach at 1,000 hours.** There is no risk to public safety if a cosmetologist attending a private school achieves 1,000 hours for a license just like the public school student does today. In Ohio today:

- Emergency Medical Technicians (EMT) attend **150 hours** of training.
- Licensed Practical Nurses (LPNs) attend **1376 hours** of training.
- Police officers attend **695 hours** of training.
- Paramedics attend **800 hours** of training.

- 4) **Make Ohio a "RECIPROCITY-IN" state--our focus must be on job opportunities in Ohio.** Many states do not require licensees to take any additional education or even an exam when seeking reciprocity after one to two years of practicing as was indicated by a recent LSC review. The bill:

- a) removes the requirement of taking exams in Ohio if already licensed in another state;
- b) removes the requirement that the standards in Ohio for obtaining the license the applicant seeks are substantially equal to the other state or country's requirements;
- c) allows licensees to enter the workforce sooner with less debt;
- d) permits work experience/hours to count towards licensing hours when seeking to transfer a license to another state;
- e) requires the Ohio Board to use a national exam which makes our licensees more marketable in other states; and,
- f) maintains high standards, but makes it easier to practice in Ohio than in most states.

Although private school opponents have refused to attend interested party meetings we have addressed several issues raised by them and have highlighted the changes below. These changes are in Sub. HB 189. The substitute bill:

- a) permits **pre-graduate testing** to help increase licensure rates;
- b) returns **manicuring hours** from 100 to 200;
- c) returns **esthetics hours** from 300 to 600;
- d) removes the **5-year experience requirement** for instructors;
- e) removes the language increasing the **surety bond** from \$10,000 to \$100,000 for schools; and,
- f) requires **salons and schools of cosmetology to work in partnership** to establish the **apprenticeship** program.

As mentioned above, the OSA has been trying to address as many of the opponents concerns as possible throughout this legislative process. We are committed to working on the following issues raised by the opponents in the Senate if Sub. HB 189 passes out of the House:

Opponents concern: *Getting rid of the advanced license is deregulating our profession.*

- **OSA Response:** The advanced license doesn't provide students with marketable skills that garner a higher wage and is not recognized in other states. Since it was created a few years ago schools did not adapt and work to provide input on curriculum to make it valuable. Schools can still offer 1,500 hours' worth of classes or any other advanced classes they wish. There is no law preventing them from offering classes that exceed the minimum. And funding is available for up to 1,500 hours so they can get paid. The state should only legislate minimums for occupational licenses that are barriers to entry into a profession. In reality private schools combine the initial license at 1,500 hours and the advanced license at 300 hours and require students to attend and pay for an 1,800-hour program. This cannot be the case in the future.
- **OSA Compromise:** The OSA will support changing Sub. HB 189 in the Senate to preserve the Advance License for those licensees as of the effective date of the bill, so those individuals can indefinitely renew this license. This still provides any school the opportunity to create an Advanced

Certificate program, but such a program will not carry with it state mandated hours. Schools are free to provide cosmetology programs above the 1,000-hour requirement under Sub. HB 189 – the question is whether students will pay for the additional training and education – the free market will decide.

Opponents concern: *Natural Hair Styling license is valuable and should stay. It negatively affects ethnic populations to get rid of it including salon owners.*

- **OSA Response:** The first time OSA heard opposition to removing the Natural Hair Stylist license came on Wednesday, March 7th in the House Government Accountability and Oversight Committee hearing on Sub. HB 189.
- This license is not widely utilized—and it is quite burdensome at 450 hours of education to sit for the licensing exam. For instance, based on the Board's 2017 Annual Report there were 5 active and one new individuals with a natural hair stylist license, one active and one new individuals had a natural hair stylist instructor license, 34 active and 45 new individuals had an advanced natural hair stylist license, and there were 14 active and 4 newly licensed natural hair stylist salons. Compare this to 17,639 active and 2,708 new cosmetology licensees for the same period.
- **OSA compromise:** With that said, so long as the braiding registration stays in the law, we would compromise to allow the natural hair stylist license to stay in as well.

Opponents concern: *The way the definitions are in this bill make hair design the same as cosmetology at 800 hours.*

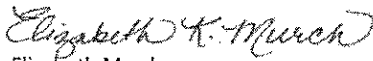
- **OSA Response:** The Ohio State Cosmetology and Barbering Board staff provided the language in the bill to clarify the practice of cosmetology which was included in the substitute bill.
 - Their intent was that cosmetology is defined as providing all the branches of cosmetology, and they believed the definition of cosmetology could not include cosmetology.
 - There has never been an intention of having a full cosmetology license 800-hour program as the opponents claim.
- **OSA compromise:** The OSA supports amending the final bill in the Senate to clarify and make clear that a full cosmetology license requires 1,000 hours, a hair design license requires 800 hours, an esthetics license requires 600 hours, a manicuring license requires 200 hours and a natural hair stylist license requires 450 hours.

The opponents should actually work with salon owners to address significant issues in the beauty industry, especially the fact that 28 private schools of cosmetology (or 30%) have abruptly closed their doors since May of 2015 and we expect more. These closures have required students to find alternate programs to finish their training very little to compensate them for these schools failing to help them become licensed and find employment in the beauty industry.

The Ohio Salon Association is focused on cosmetology student success, school success and addressing workforce issues for all salons and job providers in Ohio.

Thank you for your time and consideration. We have attached a list of business owners as well as state and national associations supporting HB 189 and SB 129.

Please feel free to contact our lobbyist, Tony Fiore, at afiore@keglerbrown.com or 614-462-5428 if you have any questions about this legislation.


Elizabeth Murch
Executive Director


Tony Fiore
Legislative Counsel

Supporters of Ohio HB 189 and SB 129

Arthur Gray Holdings, Inc.	Holiday Hair	QuickGroome, Inc. - Roosters
Beauty Supply Outlet	Hyland MH Retreats, LLC	Quiddity Partners, LLC
Best Cuts	Hyland Properties, LLC	R.L.O., Inc.
Bhooshay Enterprises of Ohio, LLC	Institute for Justice	Rachelle King
Blue Co. Brands	Intercoiffure America/Canada	RamseyRooney & Co.
Borics Hair Care	International Salon/Spa	Regis Salon
Burben Investments, Inc.	Business Network	S&L Cuts, Inc.
Carlton Hair	j.calico, LLC	SARJNT, Inc.
Charles Penzone, Inc.	JaNaMo Enterprises, Inc.	Sassoon Salon
Cincy Clips, Inc.	Jay-Mar Enterprises, LLC	Saturday's Hair Salon
City Looks Salons	JC Penney Salons	Sawyer Business Group, Inc.
Cool Cuts	JM Elliott Enterprise, LLC	Scott Burandt
Cost Cutters	Kerry and Anthony Sawyer	SDM Partners, Inc.
Courtne Wesselman	Lake House Holdings, LLC	Shaun Norton dba SportClips
CSJ Ventures, Inc.	Laventure, Inc.	Signature Style Salons
DANDREA, LLC	LGC Properties Management	SmartStyle Hair Salons
Daniel Feiwell - No LLC	LST Clips, Inc.	SportClips
Demer Retail Ventures, LLC	M&M Wardeiner, Inc.	SRL Clips, LLC
Eckert, Inc. dba Great Clips	Majicuts	Studio Wish Salon
Empire Beauty Schools	MasterCuts	Style America
Esquire Holdings, LLC	Maxco, Inc.	Supercuts
Famous Hair	Maxxco, LLC	Tasha Sheipline
Fiesta Salons	Michael's Salon and Spa	TGF Hair Salon
FirstChoice HairCutters	MMAO, LLC	The 220 Group, Ltd.
Future of the Beauty Industry Coalition	NeCole Cumberlander	Professional Beauty Association
Gem City Clips	NFIB/Ohio	The Visage Group
Gold Coast Ventures, LLC	North Coast Partners, LLC	Tillery Enterprises, Inc.
Great Clips	Norton Clips, LLC	Tillery Salons, Inc.
Great Expectations	Oakpoint Partners, Inc.	TJTKR Enterprises, Inc.
Hair Crafters	Ohio Chamber of Commerce	Trinity Leadership 6, LLC
Hair Masters	Ohio Salon Association	Trinity Leadership 7, LLC
Hair Plus	Outlooks for Hair	Ulta
Head Start Haircare	Panopoulos Salons	Vanity Ventures, Inc.
	Park 50 Clips, LLC	We Care Hair
	Pro Cuts	

From: Capitol Letter

Sent: Monday, March 19, 2018 6:15 AM

To: Kasych, Shawn

Subject: Counties tell state to provide money for Medicaid work requirement plan

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Monday, March 19, 2018

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[View in Browser](#)

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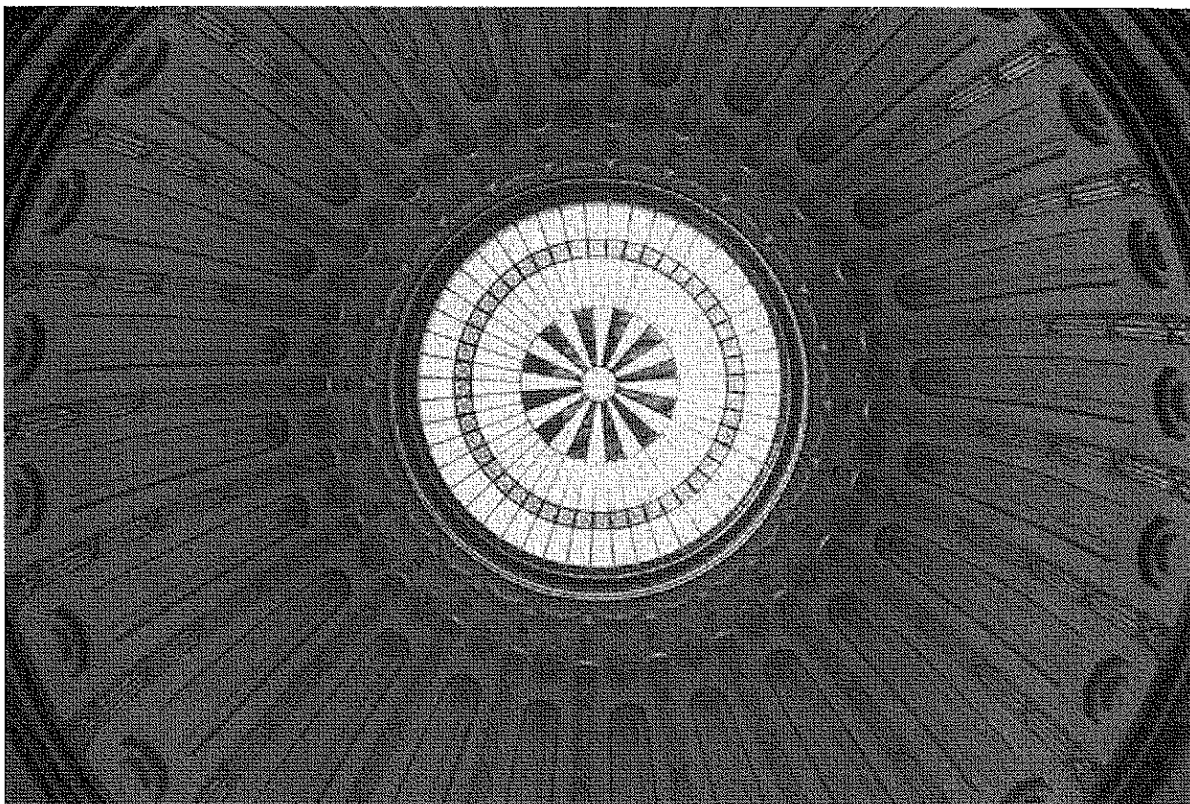
Capitol Letter

Laura Hancock and Jeremy Pelzer

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= 9 **Rotunda Rumblings**

= 9 **Money, personnel concerns:** The County Commissioners Association of Ohio, in a Friday letter to Ohio Medicaid Director Barbara Sears, asked the state to find money to help local governments if it wants to require recipients to work at least 20 hours a week. The letter said county job and family service agencies would have to determine who is eligible for Medicaid expansion under the new requirements. Yet the system is stretched due to increasing caseloads and less state money. The federal Centers for Medicare and Medicaid Services told states "that it will not make additional resources available for job training, child care assistance, transportation, or other work supports," D the letter states.

= **9 Tech updates:** Ohio's proposal exempts Medicaid recipients from work if they're disabled or caretakers. In the letter, the counties asked the state to make technology updates before imposing the work requirements, so the governments can easily identify who is exempt and who needs to work. Sunday was the last day Ohio Medicaid accepted comments on its work proposal, which Republicans in Columbus and Washington generally support. The department is expected to review the comments and possibly tweak the proposal, then ship it to D.C. for approval.

= 9

No fracking way: Columbus Democratic Rep. David Leland introduced a bill Friday he said would protect the state's parks and nature preserves from the impacts of hydraulic fracturing by prohibiting new wells on land typically enjoyed by families and outdoor recreation lovers. The bill comes after Thursday's first meeting of the Ohio Oil and Gas Leasing Commission. The commission is supposed to review and grant oil and gas companies leases to explore, drill and frack on state land. The legislature created the commission in 2011, but Gov. John Kasich took six years to name commissioners, who spent Thursday learning about public records laws and ethics requirements of serving on a government board.

= **9 Reach out and treat someone:** Health insurers would be required to provide coverage for telemedicine services on the same basis as in-person services, under new legislation in the Ohio House. Under House Bill 546, insurance companies would not be allowed to exclude coverage for telemedicine services, nor impose a lifetime benefit maximum for such services. But it would still allow insurers to bill at different rates for telemedicine. Republican Rep. Tom Patton, the bill's sponsor, argues the measure would allow faster access to care and ensure that rural Ohioans who might not have a doctor nearby can use services such as remote patient monitoring.

= **A Precourt kicks back:** Anthony Precourt, owner of the Columbus Crew, argued in a Friday letter to Columbus Mayor Andrew Ginther that he doesn't believe a state law can prevent the Major League Soccer franchise from moving to Austin, Texas. And even if it did, Precourt believes he has satisfied the law's requirement that he notify the city that he's leaving and give it an opportunity to purchase the team. If anyone wants to buy the

team, he said they need to contact him, according to the letter.

= 9 **DeWine's response:** GOP Attorney General Mike DeWine and the city are suing Precourt over his desire to move the team. DeWine said Friday that the case will continue. He sees the letter as the beginning of a six-month period in which Precourt must provide a reasonable opportunity for local investors to purchase the Crew.

= 9 **Dems gain in OH-12 forecast:** The Cook Political Report has downgraded Republicans' chances of holding onto Ohio's 12th congressional district from "Likely Republican" to "Leans Republican." The Report's Dave Wasserman wrote Friday that like Pennsylvania's 18th district, which flipped to the Democrats last week, OH-12 "combines well-educated suburbs with a lot of old union bastions — except it's even less Republican." Wasserman also notes "Democrats may have a promising candidate there" — a likely reference to Franklin County Recorder Danny O'Connor. The report's re-scoring came a day after Sabato's Crystal Ball similarly nudged its OH-12 rating a bit toward the Democrats.

= 9

Southern comfort: Democratic gubernatorial candidate Richard Cordray has picked up endorsements from 14 county Democratic party chairs in Southern Ohio, including: Adams, Athens, Brown, Clinton, Fayette, Gallia, Highland, Hocking, Jackson, Lawrence, Pike, Ross, Scioto and Vinton counties.

= 9 **Top 10 Ohio House Democratic primaries to watch in 2018**

= 9

District 10: Downtown Cleveland, Bratenahl

= 9 **Who's running:** Nelson Cintron Jr., TJ Dow, Kyle Earley, Aanand Mehta, Ronnie Jones, Billy Sharp, Terrence Upchurch, Danielle Shepherd.

= 9 Everyone and their mom seems to be running to succeed term-limited Rep. Bill Patmon in this heavily Democratic district in central Cleveland. Upchurch has the endorsement of the Cuyahoga County Democrats (which will publicize him via their sample ballot). Earley, a pastor and a former top

aide to ex-state Sen. Nina Turner, has the backing of the Cuyahoga County Progressive Caucus. Dow, a former Cleveland city councilman, has a voter base, though he's currently facing allegations of voter fraud.

Cintron, also a former Cleveland councilman, is these days a perennial candidate with little chance of winning. Mehta, an attorney at JonesDay, has some well-regarded operatives helping his campaign -- including Michael Bowen, who ran Cleveland Mayor Frank Jackson's re-election campaign last year. With so many candidates, the race will likely be decided by who has the best voter turnout operation.

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District 12: Part of Cleveland's West Side, Maple Heights, Pepper Pike, and other parts of east suburban Cuyahoga County

= 9 **Who's running:** Juanita Brent, Patrice Brown, Earl W. Campbell Sr., Yvonka Hall, Dimitri McDaniel, Isaac Powell

= 9 Brent, the daughter of the late activist and ex-Rep. Vermel Whalen, has a leg up as the endorsed candidate of the Cuyahoga County Democrats, though she recently got media coverage for an overdue driver's license renewal (noteworthy mainly because Ed FitzGerald's 2014 gubernatorial campaign was sunk in part by a similar, though far more serious, issue). Hall, the executive director of the Northeast Ohio Black Health Coalition, is the progressives' choice. McDaniel is a Case Western Reserve University law student and a former aide to state Sen. Sandra Williams. The other candidates are either political unknowns or perennial candidates.

= 9

District 13: Lakewood, part of Cleveland's West Side, Linndale

= 9 **Who's running:** Tom Bullock, Mike Skindell

= 9 Skindell is very well known in the district, having represented the area in the legislature since 2003. But Bullock, a Lakewood city councilman, has momentum, scoring endorsements so far from the Cuyahoga County Democrats, U.S. Rep. Marcy Kaptur, and the Cleveland Stonewall Democrats, among others. The campaign is taking place amid a battle for the Cuyahoga County Democrats between establishment Dems and progressives. Skindell is affiliated with the Cuyahoga County Progressive

Caucus; Bullock is considered more of an establishment candidate, though he's been careful not to tie himself to a particular side.

= A **District 19**: Northeast Franklin County, including Gahanna and New Albany

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Who's running: Noni Banks, Mary Lightbody

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Observers predict this will be a close race between two Westerville residents: Lightbody, a Harvard grad and longtime K-12 and university science teacher, and Banks, founder of The Diva Movement, a women's leadership organization. Lightbody entered the race before Banks, but that advantage could be eroded by Banks if she proves to be a strong fundraiser and campaigner. The Franklin County Democrats declined to endorse in the race.

= 9 **District 24**: Parts of western/central Franklin County, including Hilliard and Upper Arlington

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Who's running: Andrea Bonny, Mary Relotto, Allison Russo

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Relotto and Russo are the early favorites in this suburban Columbus district. Russo, a health-policy researcher from Upper Arlington, is the more establishment-y candidate; Relotto, founder of the all-female career networking site Dames Bond, is the more progressive and activist-y candidate. Bonny, a pediatrician from Upper Arlington, is a comparative unknown, having entered the race relatively recently. The Franklin County Democrats didn't endorse in the race.

= 9 **District 26**: Southeastern Columbus

= 9 **Who's running**: Erica Crawley, Michael Cole

= 9 Crawley, a U.S. Navy veteran and law clerk, won the endorsement from the Franklin County Democrats, giving the first-time candidate an edge in the race to succeed Rep. Hearcel Craig in a heavily Democratic district covering southeast and part of western Columbus. But don't count out Cole, a Columbus City School Board member whose name is only a

syllable different from Michael Coleman, the popular former mayor of Columbus.

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District 50: Eastern Stark County

= 9 **Who's running:** Cassie Gabelt, Courtlen Vizzuso

= 9

Outgoing Republican Rep. Christina Hagan's seat, which covers the eastern half of Stark County, is a longshot for Democrats in November. But it still features an interesting primary between Gabelt, a U.S. Navy veteran from Alliance who works as a mediator, and Vizzuso, a recent Ohio University grad from Alliance who was recruited by Run For Something, a national PAC that recruits young Dems to run for office. Gabelt is perhaps the early favorite, given she entered the race earlier and has support from local progressive groups.

= 9

District 56: Northwestern Lorain County

= 9 **Who's running:** Mark Ballard II, Joe Miller, Claudia Olaes, Cory Shawver

= 9 Shawver and Miller are the early frontrunners in the race to take over term-limited Rep. Dan Ramos's seat in this Democratic-friendly district. As a resident of Lorain, Shawver (the former executive director of the Lorain County Democrats) has a geographic advantage over Miller, a councilman from the smaller city of Amherst (a non-Lorain resident has never won the district in recent memory). But Miller, a high-school teacher, could pick up support from education organizations, and he was recently endorsed by the Ohio AFL-CIO. Ballard, a law student, is the son of a Lorain school board member and a former district director for ex-U.S. Rep. Betty Sutton. Olaes is a student at Oberlin College.

= 9 **District 59:** Western, central, and southern Mahoning County

= 9 **Who's running:** Larry Moliterno, Eric Ungaro

= 9

Ungaro, a Poland Township trustee, is perhaps the slight favorite to win the district, currently held by outgoing Democratic Rep. John Boccieri. The son

of ex-Youngstown Mayor Pat Ungaro, Eric easily won the Mahoning County Democrats' endorsement for the seat. But Moliterno, as a trustee for Boardman Township (the largest township in Mahoning County), has a power base, and he's been in the race longer than Ungaro. High voter turnout in the primary would likely benefit Ungaro.

= 9**District 75:** Southern half of Portage County

= 9 **Who's running:** Denise Baba, Randi Clites, Alice Freitas

= 9

Clites and Baba are the frontrunners to take over term-limited Rep. Kathleen Clyde's seat in southern Portage County. Clites entered the race more than a year ago – the Ravenna resident hasn't run for office before, though as an associate director with the Northern Ohio Hemophilia Foundation, she successfully lobbied the Ohio House to preserve funding for a children's medical assistance program. Baba, a former TV reporter, serves on the Streetsboro Board of Education and is ex-president of the Ohio School Boards Association. Freitas, who entered the race at the last minute, is the former president of a transgender advocacy group at Kent State University.

= 9 **Stories We're Talking About**

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Pack a school lunch and a gun: State Rep. Niraj Antani said law-abiding 18-year-olds should be allowed to carry guns at school, according to cleveland.com's Cliff Pinckard. Then, after criticism mounted online, the Miamisburg Republican claimed on Twitter he did a poor job explaining his position, which actually was that he doesn't advocate arming students.

= 9

Humble brag: Gov. John Kasich personally called the Columbus Dispatch and apologized for saying a story about lackluster job creation numbers was "fake news," writes the Dispatch's Darrel Rowland. Last week, Rowland wrote that job creation in 2017 was lower under Kasich than Democratic Gov. Ted Strickland's last year in office – based on inaccurate numbers provided by the state that have since been corrected.

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Jordan backs Hagan: Shortly after highlighting, then criticizing a Washington Post profile on her U.S. House candidacy, state Rep. Christina

Hagan on Friday received the endorsement of House Freedom Caucus leader U.S. Rep. Jim Jordan of Lima, reports cleveland.com's Andrew Tobias.

= 9

Dann elaborating on guns: On cleveland.com's Ohio Matters podcast, former Democratic AG Mark Dann shared his view that the NRA controls the gun debate. He also said Democratic gov candidate Dennis Kucinich's proposal to ban assault weapons could mobilize the Democratic base.

= 9 **Bharara boost:** Former federal prosecutor and outspoken White House critic Preet Bharara was in Ohio Sunday, helping a fellow former U.S. attorney, Democrat Steven Dettelbach, raise money for his Ohio attorney general race. Bharara tells the Associated Press it is only the second time he's raised money for a candidate since President Donald Trump fired him last year.

= 9

Dog fight: The Dispatch reports that a bill that attempts to head off a proposed constitutional amendment outlawing puppy mills gets a vote on the House floor this week. However, the Humane Society of the United States prefers the amendment proposal over House Bill 506.

= 9 **Happy birthday:** Cleveland.com editorial writer Thomas Suddes opines that the Ohio General Assembly has too relaxed an attitude on LGBTQ rights, since a nondiscrimination measure hasn't made it to the House floor after nearly a year since it's been introduced. Ditto with the year-old House Bill 123, which would cap payday lending interest rates and fees.

= 9 **Ethics question:** Pharmacist Margaret Scott had responsibility over Ohio Medicaid's drug program, but left her state job last fall and then was hired by CVS, according to the Dispatch, which is questioning whether her actions were ethical. CVS affiliate Caremark is hired by Medicaid managed care insurers as a pharmacy benefit manager, setting pharmacy rates and negotiating drug rebates.

= 9

Welcome: Melissa Ackison, a GOP U.S. Senate candidate, released a campaign video in which she invited her opponents to her house to view her gun collection, the Dispatch reports.

= 9 **Full Disclosure**

= 9 Five things we learned from Granville Township Republican Rep. Scott Ryan's May 15 ethics disclosure statement.

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1. In addition to his legislative duties, from which he earned \$66,367 in 2016, he's an agent with SHAI Commercial Real Estate Ltd. in Granville.

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2. He listed three business ventures that he or his family were involved in: Newark Leader Printing Co. and Leader Printing, both of which he owns stock in, and Ryan Joint Venture, a company he said he inherited and partly owns.

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3. He's a volunteer board member of the Licking County Family YMCA and the Columbus District Golf Association.

= 9 4. His credit cards give him travel benefits: He owed at least \$1,000 in 2016 each to Chase Marriott Visa, Chase Southwest Visa and AAA Visa. He also owed money to a Sears charge card, two Citibank cards, Bank of America Visa, Chase Slate Visa, Park National Bank, Universal 1 Credit Union and Discover.

= 9 5. He received \$1,719.25 in mileage reimbursement from the state for his trips between home and the General Assembly. His campaign committee reimbursed him \$2,236 in mileage. And he traveled to Denver for a higher ed training for the nonpartisan National Conference of State Legislatures, for which he was reimbursed \$454.20 for airfare, \$433.76 for lodging and \$85.44 for ground transportation.

= 9 **What's Going On**

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2:45 p.m. – Jon Husted to campaign in Lima: The secretary of state and GOP candidate for lieutenant governor is slated to speak and take questions from voters. *Club UNOH, 1450 N. Cable Rd. Lima.*

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5:30 p.m. – Sen. Sandra Williams fundraiser: Sponsor levels for the

Cleveland Democrat range from \$50 to \$500. *Crop Bistro & Bar, 2537 Lorain Ave., Cleveland.*

= 9 **6:30 p.m. -- Ohioans for Gun Safety meeting:** The group is not optimistic Ohio legislators will enact sufficient background checks for gun purchases and will talk about drafting a ballot measure for as soon as 2019. *SEIU District 1199, 1771 E. 30th St, Cleveland.*

= 9 Birthdays

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Matt Damschroder, chief of staff to Secretary of State Jon Husted

= 9 Straight From The Source

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"I think people overwhelmingly wonder about President Trump when he calls everybody else names, including people in his own party, but he never, ever criticizes Putin. So I would guess 70 percent, 80 percent of the people in Ohio, including Trump voters, really do wonder what exactly it is between Putin and Trump that we don't know details about yet."

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-U.S. Sen. Sherrod Brown on "Meet the Press" Sunday

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what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at Capitolletter@cleveland.com.

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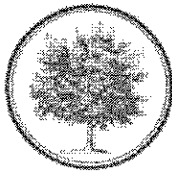
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Contact: Lisa Gates, Vice President of Comms

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March 19, 2018

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The Buckeye Institute: Policymakers Should Take Bolder Strides on Health Care Reforms that Country Can Follow

Buckeye Submits Public Comments on Ohio's Medicaid Waiver Proposals

Columbus, OH -- The Buckeye Institute's Rea S. Hederman Jr., executive director of the **Economic Research Center** and vice president of policy, submitted public comments on Ohio's two Medicaid waiver proposals -- the **work and community engagement waiver** and the **state innovation or 1332 waiver**.

"After years of failure in Washington, these waivers represent the first step in Ohio repairing its broken health insurance markets," said Rea S. Hederman Jr., executive director of the Economic Research Center at The Buckeye Institute and vice president of policy.

"While we applaud these proposals, we encourage policymakers to take bigger, bolder strides to blaze a trail of innovative health insurance reforms that the rest of the country can follow."

Work and Community Engagement Wavier

Pointing out that Medicaid was drastically changed under the Affordable Care Act, Hederman said in his public comments, "Encouraging healthy, able-bodied adults to remain in the workforce or engage in other educational and training activities, Ohio's proposed Section 1115 waiver will enhance lifetime earnings, income, and health. By enhancing the health of the covered Medicaid enrollees, Ohio's proposed waiver meets the twin goals of the waiver demonstration project by promoting economic stability and improving health."

While noting that "Ohio's waiver proposal pursues sound public policy," Hederman outlined recommended improvements to the proposal in several key areas: data collection, self-reporting, age requirements, auditing beneficiary reporting, and emphasizing the disincentives to work created by expanded-Medicaid.

State Innovation or 1332 Waiver

Although the recent federal tax reform legislation reduced the tax penalty for violating the individual mandate to \$0, Hederman said that "the mandate itself remains in federal law and the penalty could be raised again someday."

Hederman went on to urge policymakers to use the Section 1332 process to explore new alternatives to the status quo. "Policymakers could, for instance, request a waiver from the Affordable Care Act's employer mandate. Combining such a waiver with a reinsurance waiver like Alaska's could help the individual market while alleviating a significant burden for small businesses. Ohio should use the waiver process boldly and creatively to lower individual insurance premiums and stabilize the state's insurance market."

As repeal of the Affordable Care Act floundered at the federal level, Hederman, an expert in health care policy, was the first to propose using section 1332 waivers as a way to allow states to waive parts of the law and take back the ability to regulate their insurance markets. Hederman, and co-author Dennis G. Smith, outlined this approach in the report *Returning Health Care Power to the States*.

More recently, in *Federal Efforts to Stabilize ACA Individual Markets through State Innovation*, a study for the **Mercatus Center** at George Mason University, Hederman and Doug Badger with the Galen Institute argue that Congress and the administration should

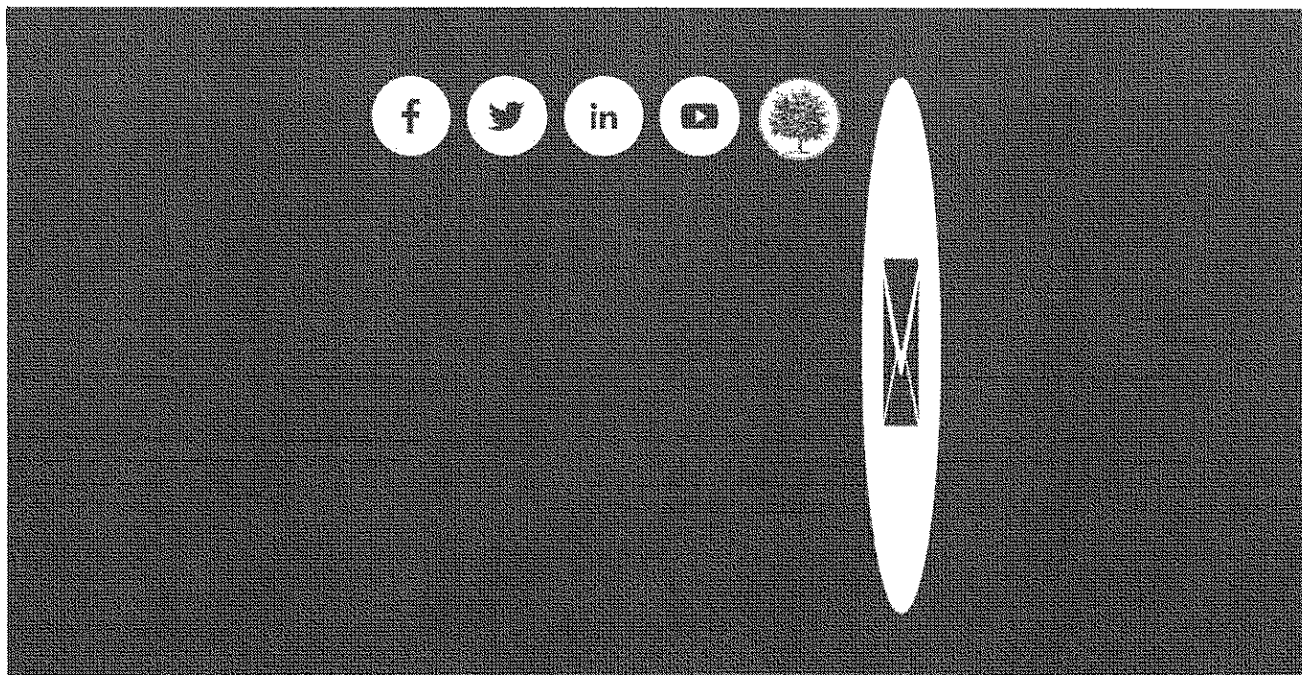
empower states to devise new ways to make health insurance more affordable for more people.

The Buckeye Institute's public comments were filed on Friday, March 16, 2018.

###

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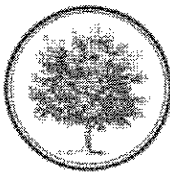
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March 21, 2018

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**The Buckeye Institute: Occupational Licensing
is a Red-Taped Obstacle for Workers**

*Greg Lawson Testifies Before the Ohio Senate Government
Oversight and Reform Committee on Senate Bill 255*

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or [download a PDF](#)) before the Ohio Senate Government Oversight and Reform Committee on Senate Bill 255.

In opening his testimony, Lawson said of Ohio's occupational licensing requirements, "No one denies that state licensing requirements are needed in some cases and industries to ensure public safety...But these concerns fade quickly when applied to auctioneers, travel

guides, and hairdressers -- all of whom are subject to Ohio's byzantine licensing requirements."

Lawson also pointed to the state's burdensome occupational licensing as a factor slowing Ohio's economic recovery and impacting Ohio's minority communities, "State permission slip policies that make it harder and more expensive to find work only exacerbate the problem." Going on later to note that while the state's labor force participation has improved in recent years it remains below the national average and "Occupational licensing hurdles only make Ohio's full recovery more difficult."

The research in support of reducing occupational licensing spans the political spectrum with Lawson highlighting research by the **Heritage Foundation**, **National Bureau of Economic Research**, the **Brookings Institute's Hamilton Project**, and **Democratic and Republican** administrations. He also highlighted Buckeye's own research, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back* and *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*.

In closing, Lawson urged policymakers to reform Ohio's occupational licensing regulations saying, "Senate Bill 255 begins the overdue effort of reforming the state's occupational licensing regime and ending a misguided permission slip policy that has stood in the way of growth and prosperity for far too long.

###

**Interested Party Testimony on Senate Bill 255
Before the Ohio Senate Government Oversight and Reform Committee**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
March 21, 2018**

Chairman Coley, Vice Chair Uecker, Ranking Member Schiavoni, and members of the Committee, thank you for the opportunity to testify today regarding Senate Bill 255 and Ohio's need for occupational licensing reform.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

Ohioans should not have to ask the state for permission to earn a living. Yet, all too often, Ohio creates permission slip policies that make it harder -- and sometimes impossible -- for Ohioans or would-be Ohioans to pursue their careers and put food on the table for their families. Such policies must end.

No one denies that state licensing requirements are needed in some cases and industries to ensure public safety. Requiring appropriate education and training for physicians, healthcare providers, pilots, and truck drivers, for example, helps safeguard the general public in our hospitals and on our roads and runways. But these concerns fade quickly when applied to auctioneers, travel guides, and hairdressers -- all of whom are subject to Ohio's byzantine licensing requirements.

Consider Jennifer McClellan. A new mother, a long-time professional, and a licensed massage therapist, Jennifer tried moving back to Ohio to be closer to her family, but the Ohio State Medical Board denied her license application because she was 10 days shy of the state's training requirements.[1] The board unduly discounted Jennifer's years of training and work experience, and would not honor the license she had already earned in Minnesota. Jennifer is not alone.

Tragically, such cases plague Ohio's minority communities -- communities already facing daunting employment prospects. Nationally, the unemployment rate among African Americans remains much higher than among other demographics. According to the Bureau of Labor Statistics, the most recent unemployment rate among African Americans was 6.9 percent -- nearly double the 3.7 percent rate for whites.[2] Unemployment confronts 27.2 percent of young African Americans between 16 and 19, compared to the 12.6 percent of young whites.[3] State permission slip policies that make it harder and more expensive to find work only exacerbate the problem, adding insult to injury in our job-deprived minority communities.

Recent scholarship across the political spectrum has highlighted the challenges presented by occupational licensing schemes and has made clear that the burdens created by such bureaucratic requirements must be lifted.

For starters, according to the Heritage Foundation, occupational licensing requirements cost the average U.S. household a staggering \$1,033 per year.[4] Even more troubling, however, are the adverse effects that licensing has on interstate mobility and the labor market itself. A new study by professors Janna Johnson and Morris Kleiner of the Humphrey School of Public Affairs, for example, found that the migration rate of workers in occupations with state-specific licensing exam requirements was 36 percent lower than rates for other occupations.[5] By contrast, occupations with national examinations showed

no evidence of such a limitation on interstate mobility.[6] Put simply, state-specific licensure makes migration more difficult by closing occupational doors for people who want to move.

In testimony before the U.S. Senate Judiciary Committee, Professor Kleiner has stated that he and Alan Krueger, the former head of President Obama's Council of Economic Advisors, had calculated that licensing laws cost between a half and one percent of jobs nationally in 2010.[7] Those seemingly small percentages amount to tens of thousands of jobs across America that never came into existence -- a claim bolstered by research out of the Brookings Institute's Hamilton Project revealing that stringent licensing requirements result in fewer providers of the services subject to the requirements.[8] Fewer providers means fewer employers and fewer available jobs.

Perhaps unsurprisingly, given Mr. Krueger and Professor Kleiner's findings, the Obama Administration released a detailed report in 2015 calling for nationwide reforms to occupational licensing.[9] Echoing bipartisan support for such measures, the Trump Administration's Secretary of Labor has since said, "Americans want principled, broad-based reform. If licenses are unnecessary, eliminate them. If they are needed, streamline them. And, if they are honored by one state, consider honoring them in your own state. Americans looking to enter the workforce deserve no less than our most ardent efforts to remove regulatory barriers so that they can have a job." [10]

Focusing less on national trends and more on Ohio's own licensing concerns, The Buckeye Institute's report, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, showed not only that Ohio's licensing burdens are well above the national average, but also that nearly every Ohio license that requires training can be earned in less time in another state.[11]

Our subsequent study, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, confirmed the disturbing and stubborn fact that Ohio's licensing requirements erect higher barriers to employment for those most in need of quality jobs: middle-aged and low-income workers, and those without a college degree.[12]

Senate Bill 255 takes several steps toward fixing Ohio's occupational licensure problem. First, for the first time in state history, policymakers would be required to use the least restrictive regulation when displacing competition, and the bill identifies various licensing alternatives -- listed from least restrictive to most restrictive -- that the state could pursue if confronting a verifiable public safety risk. Second, Senate Bill 255 establishes a process for legislative panels to use when weeding through Ohio's overgrown thicket of licensing boards. Under this process, boards that the General Assembly does not proactively

reauthorize would simply dissolve. Taken together, these provisions give lawmakers a much-needed tool for uprooting bureaucratic thistles that deprive Ohioans of the potential fruits of their labor.

In addition to its sunset provisions, Senate Bill 255 also creates a sunrise review process to be used whenever a new licensing bill is introduced. This provision will require the Legislative Service Commission (LSC) to assess the potential consequences of any new licensing legislation with respect to employment opportunities, consumer choices and costs, market competition, and costs to the government. Additionally, under S.B. 255, the LSC must assess 20 percent of the occupations regulated by the state each calendar year beginning in 2018, assess all occupations at least once before 2022, and continue such assessments on a five-year rolling basis after 2022.

These are all positive strides for a state still struggling to create new jobs. Ohio still has not rebounded fully from the tech bubble burst and remains down by almost 93,000 private-sector jobs from its peak in March 2000 -- now 18 years ago.[13] The state's labor force participation has improved in recent years, but remains slightly below the national average. Occupational licensing hurdles only make Ohio's full recovery more difficult.

Every licensing requirement raises a new red-taped obstacle for workers to clear before earning a living or starting a new career. Every hour of unpaid training needed to satisfy bureaucratic requirements is an hour not spent earning tips, impressing a boss, serving a customer, or opening a business. Those are hours of lost productivity, hours of opportunity that young, low-income workers sorely need, but that the state continues to take for itself.

Senate Bill 255 begins the overdue effort of reforming the state's occupational licensing regime and ending a misguided permission slip policy that has stood in the way of growth and prosperity for far too long.

Thank you for your time and consideration. I welcome any questions that the Committee might have.

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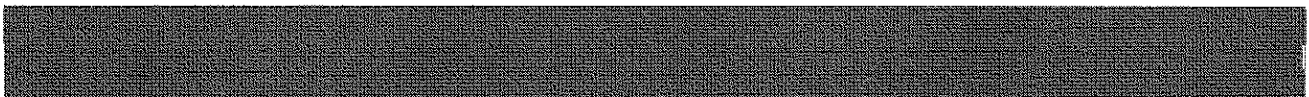
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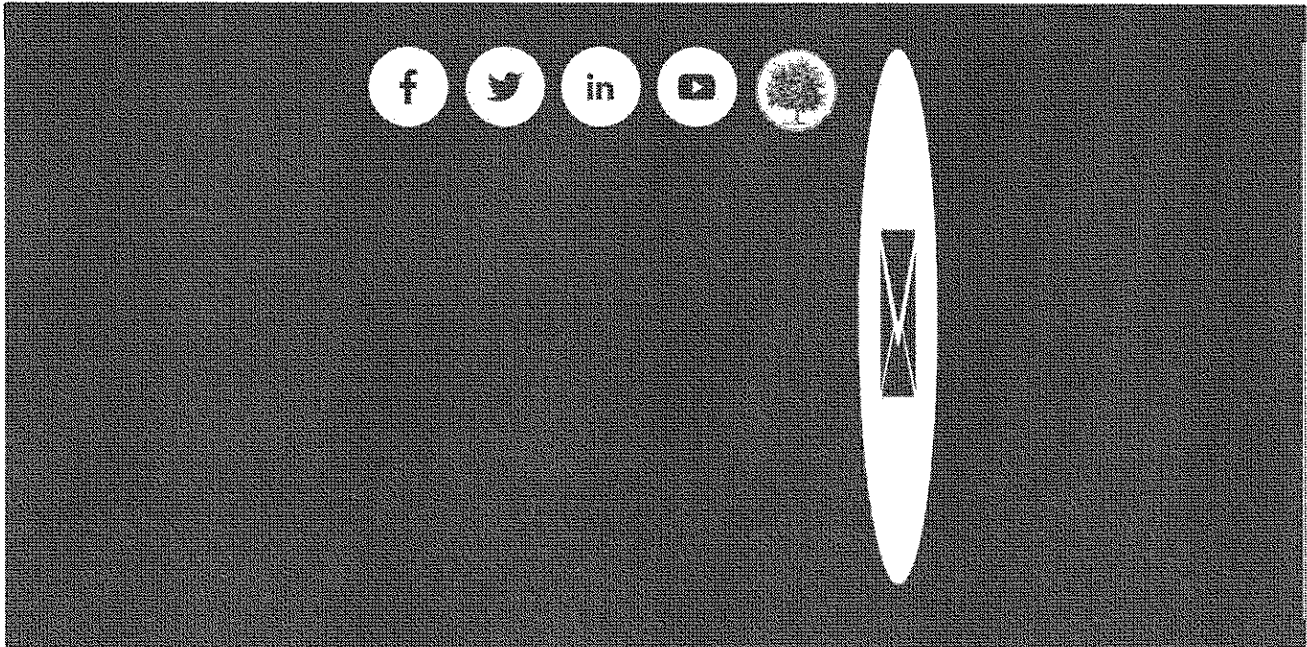
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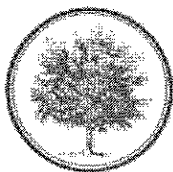
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**The Buckeye Institute: Occupational Licensing
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**Interested Party Testimony on Senate Bill 255
Before the Ohio Senate Government Oversight and Reform Committee**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
March 21, 2018**

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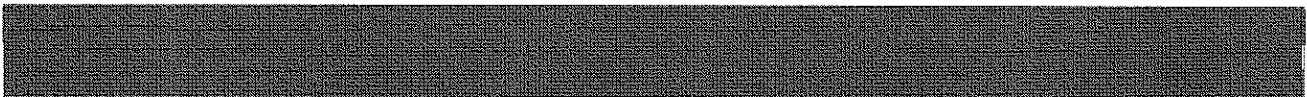
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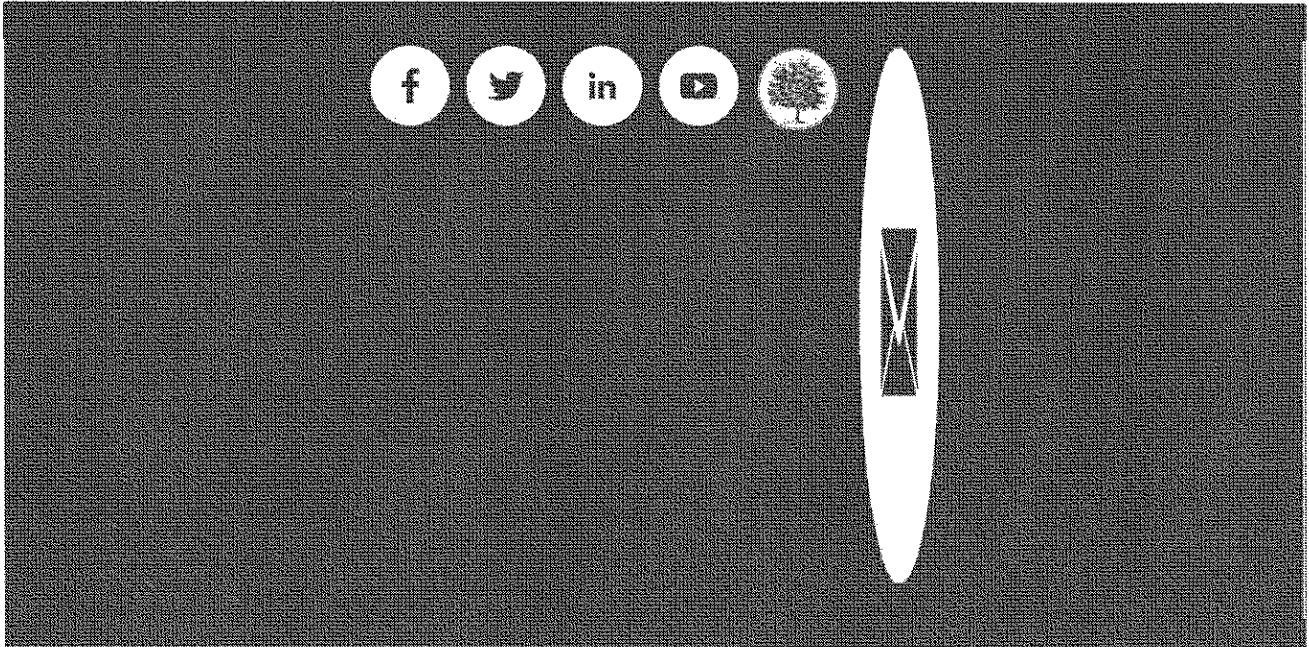
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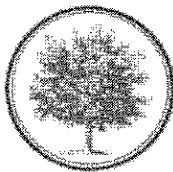
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THE BUCKEYE INSTITUTE

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March 21, 2018

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The Buckeye Institute: Occupational Licensing is a Red-Taped Obstacle for Workers

*Greg Lawson Testifies Before the Ohio Senate Government
Oversight and Reform Committee on Senate Bill 255*

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or [download a PDF](#)) before the Ohio Senate Government Oversight and Reform Committee on Senate Bill 255.

In opening his testimony, Lawson said of Ohio's occupational licensing requirements, "No one denies that state licensing requirements are needed in some cases and industries to ensure public safety...But these concerns fade quickly when applied to auctioneers, travel

guides, and hairdressers -- all of whom are subject to Ohio's byzantine licensing requirements."

Lawson also pointed to the state's burdensome occupational licensing as a factor slowing Ohio's economic recovery and impacting Ohio's minority communities, "State permission slip policies that make it harder and more expensive to find work only exacerbate the problem." Going on later to note that that while the state's labor force participation has improved in recent years it remains below the national average and "Occupational licensing hurdles only make Ohio's full recovery more difficult."

The research in support of reducing occupational licensing spans the political spectrum with Lawson highlighting research by the **Heritage Foundation**, **National Bureau of Economic Research**, the **Brookings Institute's Hamilton Project**, and **Democratic and Republican** administrations. He also highlighted Buckeye's own research, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back* and *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*.

In closing, Lawson urged policymakers to reform Ohio's occupational licensing regulations saying, "Senate Bill 255 begins the overdue effort of reforming the state's occupational licensing regime and ending a misguided permission slip policy that has stood in the way of growth and prosperity for far too long."

###

**Interested Party Testimony on Senate Bill 255
Before the Ohio Senate Government Oversight and Reform Committee**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
March 21, 2018**

Chairman Coley, Vice Chair Uecker, Ranking Member Schiavoni, and members of the Committee, thank you for the opportunity to testify today regarding Senate Bill 255 and Ohio's need for occupational licensing reform.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

Ohioans should not have to ask the state for permission to earn a living. Yet, all too often, Ohio creates permission slip policies that make it harder -- and sometimes impossible -- for Ohioans or would-be Ohioans to pursue their careers and put food on the table for their families. Such policies must end.

No one denies that state licensing requirements are needed in some cases and industries to ensure public safety. Requiring appropriate education and training for physicians, healthcare providers, pilots, and truck drivers, for example, helps safeguard the general public in our hospitals and on our roads and runways. But these concerns fade quickly when applied to auctioneers, travel guides, and hairdressers -- all of whom are subject to Ohio's byzantine licensing requirements.

Consider Jennifer McClellan. A new mother, a long-time professional, and a licensed massage therapist, Jennifer tried moving back to Ohio to be closer to her family, but the Ohio State Medical Board denied her license application because she was 10 days shy of the state's training requirements.[1] The board unduly discounted Jennifer's years of training and work experience, and would not honor the license she had already earned in Minnesota. Jennifer is not alone.

Tragically, such cases plague Ohio's minority communities -- communities already facing daunting employment prospects. Nationally, the unemployment rate among African Americans remains much higher than among other demographics. According to the Bureau of Labor Statistics, the most recent unemployment rate among African Americans was 6.9 percent -- nearly double the 3.7 percent rate for whites.[2] Unemployment confronts 27.2 percent of young African Americans between 16 and 19, compared to the 12.6 percent of young whites.[3] State permission slip policies that make it harder and more expensive to find work only exacerbate the problem, adding insult to injury in our job-deprived minority communities.

Recent scholarship across the political spectrum has highlighted the challenges presented by occupational licensing schemes and has made clear that the burdens created by such bureaucratic requirements must be lifted.

For starters, according to the Heritage Foundation, occupational licensing requirements cost the average U.S. household a staggering \$1,033 per year.[4] Even more troubling, however, are the adverse effects that licensing has on interstate mobility and the labor market itself. A new study by professors Janna Johnson and Morris Kleiner of the Humphrey School of Public Affairs, for example, found that the migration rate of workers in occupations with state-specific licensing exam requirements was 36 percent lower than rates for other occupations.[5] By contrast, occupations with national examinations showed

no evidence of such a limitation on interstate mobility.[6] Put simply, state-specific licensure makes migration more difficult by closing occupational doors for people who want to move.

In testimony before the U.S. Senate Judiciary Committee, Professor Kleiner has stated that he and Alan Krueger, the former head of President Obama's Council of Economic Advisors, had calculated that licensing laws cost between a half and one percent of jobs nationally in 2010.[7] Those seemingly small percentages amount to tens of thousands of jobs across America that never came into existence -- a claim bolstered by research out of the Brookings Institute's Hamilton Project revealing that stringent licensing requirements result in fewer providers of the services subject to the requirements.[8] Fewer providers means fewer employers and fewer available jobs.

Perhaps unsurprisingly, given Mr. Krueger and Professor Kleiner's findings, the Obama Administration released a detailed report in 2015 calling for nationwide reforms to occupational licensing.[9] Echoing bipartisan support for such measures, the Trump Administration's Secretary of Labor has since said, "Americans want principled, broad-based reform. If licenses are unnecessary, eliminate them. If they are needed, streamline them. And, if they are honored by one state, consider honoring them in your own state. Americans looking to enter the workforce deserve no less than our most ardent efforts to remove regulatory barriers so that they can have a job." [10]

Focusing less on national trends and more on Ohio's own licensing concerns, The Buckeye Institute's report, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, showed not only that Ohio's licensing burdens are well above the national average, but also that nearly every Ohio license that requires training can be earned in less time in another state.[11]

Our subsequent study, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, confirmed the disturbing and stubborn fact that Ohio's licensing requirements erect higher barriers to employment for those most in need of quality jobs: middle-aged and low-income workers, and those without a college degree.[12]

Senate Bill 255 takes several steps toward fixing Ohio's occupational licensure problem. First, for the first time in state history, policymakers would be required to use the least restrictive regulation when displacing competition, and the bill identifies various licensing alternatives -- listed from least restrictive to most restrictive -- that the state could pursue if confronting a verifiable public safety risk. Second, Senate Bill 255 establishes a process for legislative panels to use when weeding through Ohio's overgrown thicket of licensing boards. Under this process, boards that the General Assembly does not proactively

reauthorize would simply dissolve. Taken together, these provisions give lawmakers a much-needed tool for uprooting bureaucratic thistles that deprive Ohioans of the potential fruits of their labor.

In addition to its sunset provisions, Senate Bill 255 also creates a sunrise review process to be used whenever a new licensing bill is introduced. This provision will require the Legislative Service Commission (LSC) to assess the potential consequences of any new licensing legislation with respect to employment opportunities, consumer choices and costs, market competition, and costs to the government. Additionally, under S.B. 255, the LSC must assess 20 percent of the occupations regulated by the state each calendar year beginning in 2018, assess all occupations at least once before 2022, and continue such assessments on a five-year rolling basis after 2022.

These are all positive strides for a state still struggling to create new jobs. Ohio still has not rebounded fully from the tech bubble burst and remains down by almost 93,000 private-sector jobs from its peak in March 2000 -- now 18 years ago.[13] The state's labor force participation has improved in recent years, but remains slightly below the national average. Occupational licensing hurdles only make Ohio's full recovery more difficult.

Every licensing requirement raises a new red-taped obstacle for workers to clear before earning a living or starting a new career. Every hour of unpaid training needed to satisfy bureaucratic requirements is an hour not spent earning tips, impressing a boss, serving a customer, or opening a business. Those are hours of lost productivity, hours of opportunity that young, low-income workers sorely need, but that the state continues to take for itself.

Senate Bill 255 begins the overdue effort of reforming the state's occupational licensing regime and ending a misguided permission slip policy that has stood in the way of growth and prosperity for far too long.

Thank you for your time and consideration. I welcome any questions that the Committee might have.

[1] Greg R. Lawson, **Goodbye, Ohio. A Talented Massage Therapist Forced to Leave State Because of Crazy Licensing Rules**, The Buckeye Institute, February 29, 2016.

[2] Bureau of Labor Statistics, **Table A-2. Employment Status of Civilian Population by Race, Sex, and Age**, U.S. Department of Labor (Last visited March 16, 2018)

[3] *Ibid.*

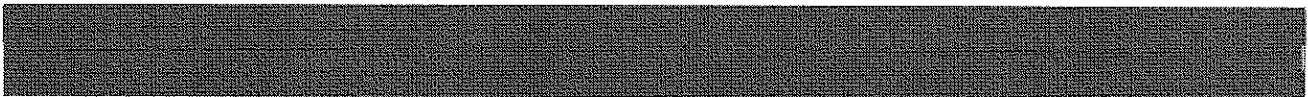
[4] Salim Furth, **Costly Mistakes: How Bad Policies Raise the Cost of Living**, The Heritage Foundation, November 23, 2015.

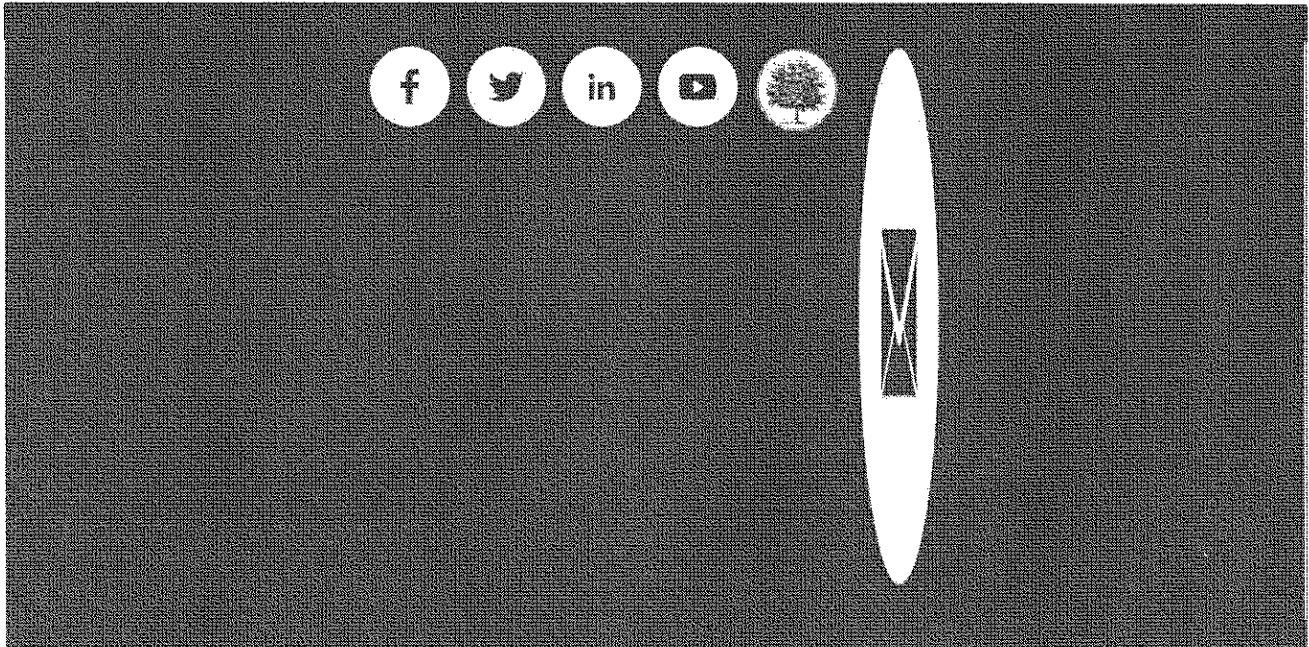
- [5] Janna E. Johnson and Morris M. Kleiner, *Is Occupational Licensing a Barrier to Interstate Migration?*, National Bureau of Economic Research, December 2017.
- [6] *Ibid.*
- [7] Morris M. Kleiner, *License to Compete: Occupational Licensing and the State Action Doctrine*, Testimony before the U.S. Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, February 2, 2016.
- [8] Morris M. Kleiner, *Reforming Occupational Licensing Policies*, The Hamilton Project, March 2015.
- [9] The White House, *Occupational Licensing: A Framework for Policymakers*, July 2015.
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- [10] Secretary of Labor Alexander Acosta, *Speech before the 44th Annual Meeting of the American Legislative Exchange Council*, U.S. Department of Labor, July 21, 2017.
- [11] Tom Lampman, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, The Buckeye Institute, November 18, 2015.
- [12] Orphe Pierre Divounguys, PhD, Bryce Hill, and Greg R. Lawson, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, The Buckeye Institute, December 18, 2017.
- [13] Bureau of Labor Statistics, *Ohio Economy at a Glance*, U.S. Department of Labor (Last visited March 16, 2018).

###

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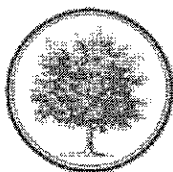
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Apologies, you will have received a press release for testimony Greg R. Lawson will be giving tomorrow on Senate Bill 255. You should have received the below release on Lawson's testimony on Senate Bill 135. I am sorry for the mistake and the inconvenience.

Lisa Gates



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Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

March 20, 2018

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The Buckeye Institute: Capital Budget Should be

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Reduced to Off-Set Costs of Voting Machines

Greg Lawson Testifies Before Ohio Senate Finance Committee on Senate Bill 135

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or [download a PDF](#)) before the Ohio Senate Finance Committee on Senate Bill 135.

Lawson opened his testimony telling the committee that The Buckeye Institute supported funding to replace Ohio's aging voting machines, calling it "a wise use of state dollars that serves a core government function." He went on to say, "As we explained in our recent report, *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*, funding Ohio's democratic infrastructure ultimately helps to maintain the integrity of our state."

While Buckeye supports state funding to replace Ohio's aging voting machines, Lawson noted "the capital budget -- and not a separate funding bill -- is the more appropriate legislative vehicle for funding state infrastructure and core government responsibilities." With the decision by policymakers to use a separate funding mechanism, Lawson urged policymakers to off-set the capital budget by the corresponding amount "in order to maintain longer-term spending balance."

###

**Interested Party Testimony on Senate Bill 135
Before the Ohio Senate Finance Committee**

**Greg R. Lawson, Research Fellow
The Buckeye Institute
March 20, 2018**

Chairman Oelslager, Vice Chair Manning, Ranking Member Skindell, and members of the Committee, thank you for the opportunity to testify today about an issue critical to all Ohioans -- strengthening our democratic infrastructure.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

Senate Bill 135 includes funding to replace Ohio's aging voting machines -- a wise use of state dollars that serves a core government function. Democratic elections represent the key mechanism by which citizens choose their leaders and hold them accountable. Thus, they undergird the very foundation of our democracy. To maintain the integrity of the election process is to maintain the integrity of our democratic infrastructure. And as we explained in

our recent report, *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*, funding Ohio's democratic infrastructure ultimately helps to maintain the integrity of our state.[1]

President Ronald Reagan once said, "Every American must know he or she can count on an equal chance and an equal vote." [2] Counting on that equal chance requires counting every vote -- with voting machines. In today's democratic process, voting machines are a key piece of infrastructure on which our elections depend. Unfortunately, many of Ohio's county boards of elections still rely on voting machines purchased more than a decade ago with funds from the federal Help America Vote Act.[3] These machines are in desperate need of replacement.

The Buckeye Institute supports using state funds for new voting machines, but as I mentioned to this Committee last week, the capital budget -- and not a separate funding bill -- is the more appropriate legislative vehicle for funding state infrastructure and core government responsibilities. Funding for voting machines should have been included in the capital budget, and to the extent that a separate mechanism, such as S.B. 135, is used instead, then the capital budget should be off-set by the corresponding amount in order to maintain longer-term spending balance.

Finding cost off-sets in the capital budget to pay for upgrading voting machines is not difficult. Many of the line items listed in our Top 10 Worst Capital Budget Requests of 2018[4] could be cut or eliminated to pay for replacing our outdated voting machines, including \$4 million for a Cincinnati soccer stadium, \$5 million for retail and restaurant space at COSI in Columbus, and \$400,000 on ill-advised, government-owned broadband networks throughout the state. Reducing state funding for locally-focused projects would make it easier to afford new election machines and other infrastructure needs such as sewers and wastewater treatment facilities.

Thank you for your time and consideration. I look forward to answering any questions that the Committee may have.

[1] Greg R. Lawson and Quinn Beeson, *Principled Spending: Using Ohio's Capital Budget to Benefit Ohioans*, The Buckeye Institute, February 5, 2018.

[2] President Ronald Reagan, *Statement About the Extension of the Voting Rights Act*, November 6, 1981.

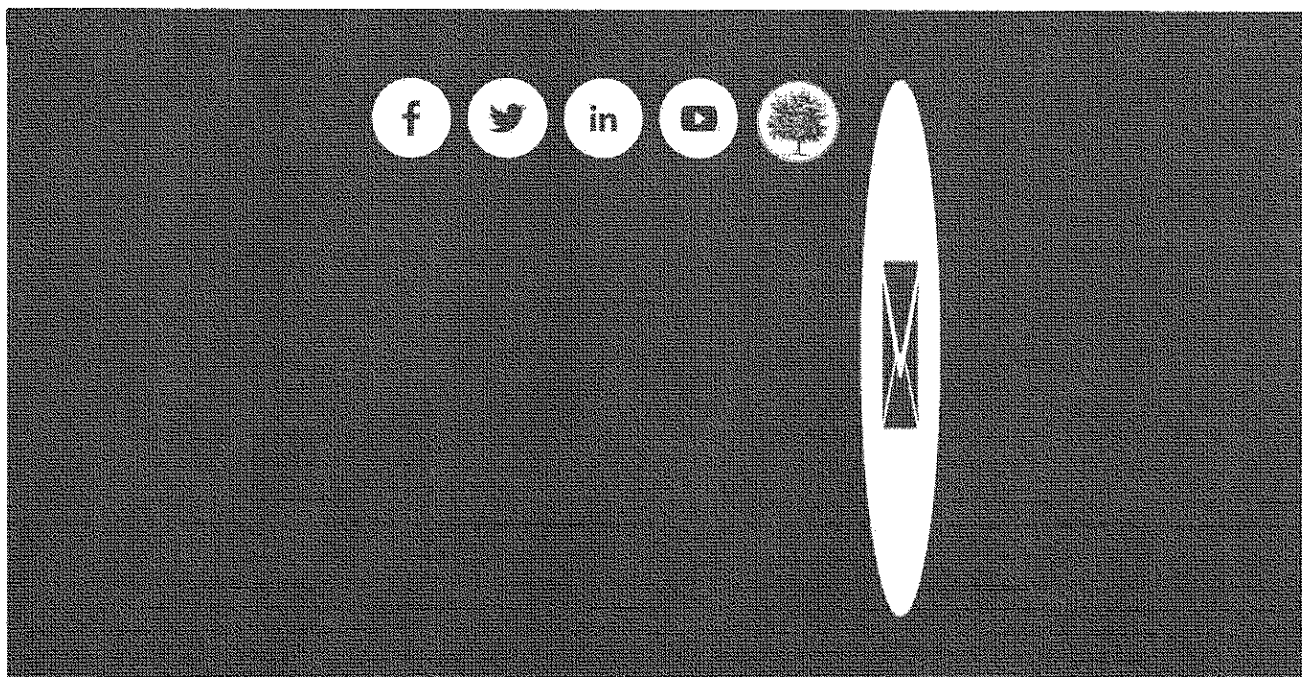
[3] *Husted Calls for Replacement of Ohio's Aging Voting Equipment*, Ohio Secretary of State Office press release, December 14, 2017.

[4] *More Than \$18 Million Spent on The Buckeye Institute's Top 10 List of Worst Capital Budget Requests*, The Buckeye Institute press release, March 5, 2018.

###

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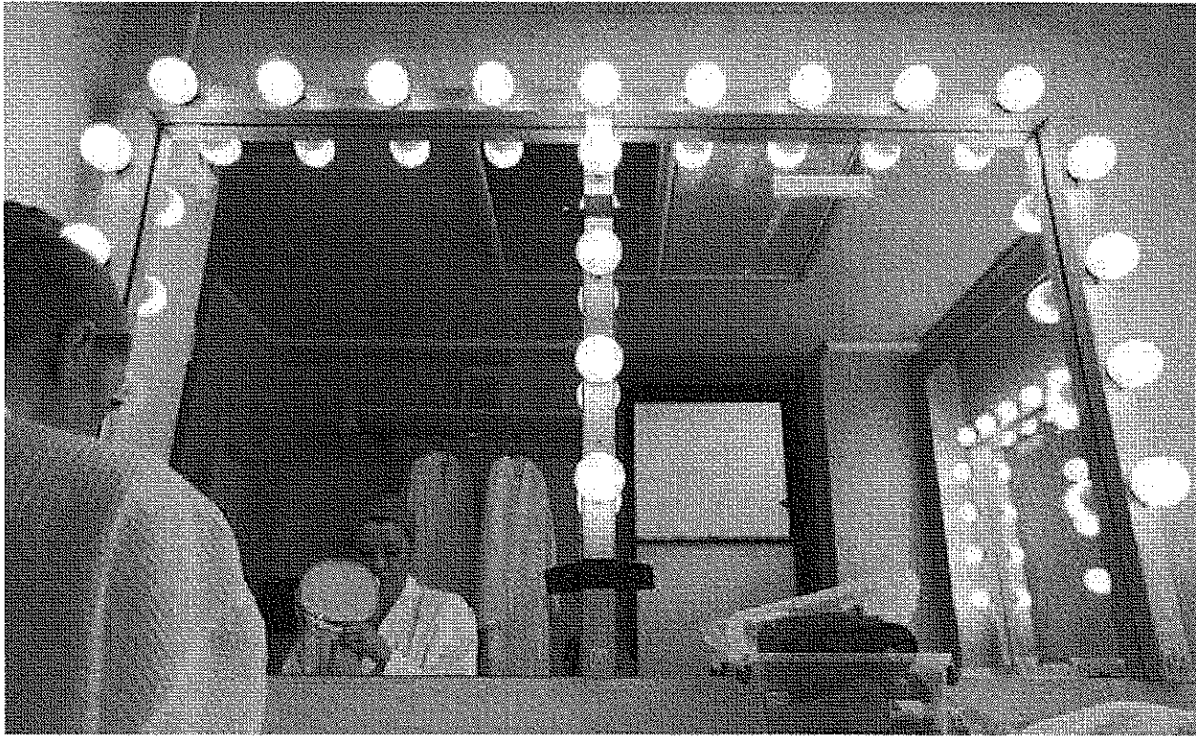
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Capitol Letter

Laura Hancock and Jeremy Pelzer
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= A Grace Stockdale, a member of the "Waitress" ensemble, prepares her makeup for a media preview at the Connor Palace, Oct. 11, in Cleveland. An Ohio General Assembly bill would allow some Broadway productions to apply for the state's film tax credit, and it would more than double the amount available for productions. (Gus Chan / The Plain Dealer)

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= 9 **Rotunda Rumblings**

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Not seeing stars: Ohio is far from La La Land and the few states where the motion picture industry is concentrated, making a bill that would significantly increase the state's film tax credit unnecessary, says Wendy Patton of the left-leaning Policy Matters Ohio. House Bill 525 would increase the credit from \$40 million to \$100 million annually and would make some Broadway productions eligible for the credit. But Patton told a House committee Tuesday that entertainment is not one of nine sectors targeted by JobsOhio, and the bill would put the film tax credit on par with the Job Creation Tax Credit, the state's biggest economic development credit.

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Shifting the tax burden? HB 525 would more than double the commercial activity tax credits available to the entertainment industry, the Ohio Manufacturers' Association's Rob Brundrett noted in testimony. Chipping away at the tax base will eventually require an overall tax rate increase to collect the same level of revenue, he said.

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Fight to keep the lights on: FirstEnergy's IT employees regularly send the rest of the company email phishing tests and analyze why people bite, Scott Hipkins, the company's director of security and infrastructure operations, told the Public Utilities Commission of Ohio Tuesday. Utilities told PUCO that they are dedicated to fighting cyberattacks. Since at least 2016, the Russian government has hacked networks of small U.S. commercial electric facilities to attempt to compromise the grid. In 2015, Russia compromised IT systems of three energy distribution companies in Ukraine and disrupted the power supply. "We know that we, as a grid if you will, are going to be on someone's list, somewhere around the world, so we have to constantly stay on our game," said Stan Partlow, AEP's chief security officer.

= 9 **Vote yes:** Union County Commissioner Gary Lee and Lake County Commissioner Daniel Troy, who is president of the County Commissioners Association of Ohio, pressed lawmakers Tuesday to advance a bill that would provide the local governments with nearly \$115 million to upgrade voting technology. Senate Bill 135 also would create a bipartisan committee of state and local officials to negotiate with vendors on voting equipment. The conservative Buckeye Institute's Greg Larsen also told the Senate Finance Committee that while he supports the bill, he thinks it should be part of the capital budget and not standalone legislation, since it would fund state infrastructure, and elections are a core government responsibility.

= 9 **Packed House:** The Ohio House's busy voting agenda on Wednesday includes bills to curb traffic cameras (House Bill 410), create a permanent three-day sales tax holiday for clothing and school supplies (Senate Bill 226), require local governments to pass a resolution to file a property-tax complaint, and impose new rules on high-volume dog breeders (House Bill 506) in an attempt to head off an anti-puppy mill ballot issue.

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Speed ahead: The House Finance Committee on Tuesday waved forward bipartisan legislation to set up a \$100 million broadband grant program, though it first approved a sub bill with a number of mostly minor changes – including a specification that applications for grant money would be prioritized based on Internet speed above other factors.

= 9 **Oops:** The Franklin County Democrats' endorsed candidate to flip Senate District 3 won't make the ballot this year. On Tuesday, Secretary of State Jon Husted ruled that Gahanna attorney Nate Dowds didn't have enough valid signatures, because one of his petitions was circulated by multiple people (which state law doesn't allow). The decision means that Tina Maharath, a financial analyst from Canal Winchester who hasn't run for office before, will be the lone Democrat on the ballot in the race to challenge Rep. Anne Gonzales for the suburban Columbus seat. The job is now held by term-limited GOP Sen. Kevin Bacon.

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Would you like Chipps with that? Besides Maharath, there's also a Democratic write-in candidate for SD-3: Katherine Chipps, a political consultant whose previous jobs include president of NARAL Pro-Choice Ohio and executive director of the Franklin County Democratic Party. It's still unclear, though, whether local Democrats might back Chipps for the nomination instead of Maharath (Chipps didn't leave the county party on the best of terms).

= 9 **Boggs wins appeal:** Husted also ruled Tuesday that Rep. Kristin Boggs can run for re-election as a write-in candidate in House District 18. Boggs, a Columbus Democrat, hastily filed to run as a write-in after being tipped off that she failed to sign one of her signature petitions to appear on the ballot. Now, Boggs needs 50 constituents to write in her name on the ballot to qualify for the November election (which she's expected to win easily over Republican David Todd).

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ORTL endorsements: The political arm of Ohio Right To Life, the state's largest anti-abortion group, issued its 2018 endorsements on Tuesday, and it backs Rep. Larry Householder. For those watching the Ohio House speaker's race, Rep. Ryan Smith, who is expected to compete against Householder for the spot, was not endorsed. However, ORTL President Mike Gonidakis tweeted it would be reckless, at best, to say that his group

was getting behind Team Householder, noting that it also endorsed a number of pro-Smith candidates.

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Kasich builds his resume: Gov. John Kasich will spend his final months in office as chair of the Midwestern Governors Association, with an agenda focused on how to prepare Midwestern workers for new high-tech jobs. Kasich will host the 12-member bipartisan public-policy group at a September summit in Columbus, according to the Associated Press.

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Renacci endorsement: The Ohio Black Republican Association voted unanimously to endorse U.S. Rep. Jim Renacci for U.S. Senate, his campaign announced Tuesday.

= 9 **Stories We're Talking About**

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Comfortable position: Democratic incumbent Sherrod Brown is ahead of both leading Republican candidates for U.S. Senate, according to new statewide polling from Baldwin Wallace University. Cleveland.com's Rich Exner reports that Brown leads Rep. Jim Renacci 41 percent to 29 percent and businessman Mike Gibbons 41 percent to 31 percent.

= 9 **Life support:** The Ohio Right to Life endorsements also included candidates in two contested Republican primary elections, reports cleveland.com's Andrew Tobias. The group's PAC is endorsing Renacci for U.S. Senate and Anthony Gonzalez, a former professional football player, for Ohio's 16th Congressional District.

= 9 **High energy:** Tobias covered a Tuesday night forum on gerrymandering that drew a capacity crowd of about 100 to an education center in Beachwood. The freewheeling discussion explored whether a congressional redistricting reform issue on the May ballot would do enough to prevent a majority party from drawing another unfair map.

= 9 **Open fire:** A Super PAC supporting Lt. Gov. Mary Taylor's bid for governor, Onward Ohio, launched statewide TV ads attacking her Republican primary opponent, Attorney General Mike DeWine, according to Tobias. The spots compare DeWine unfavorably to President Donald Trump on trade, guns and illegal immigration.

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Return fire: DeWine on Tuesday announced a statewide ad campaign and a website that goes after Taylor. The ad is titled "Unfit, Unqualified." Tobias has the details.

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Not quitting: As she pursues her run for governor, Taylor has become one of Gov. John Kasich's biggest critics. When asked why she continues to work for him, Taylor said she stays in the Kasich administration because she's "not a quitter," Tobias writes.

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Not quitting, Part 2: A petition and letter signed by dozens of Ohio activists demanded that Cincinnati Children's Hospital Medical Center remove Jane Portman, wife of Republican U.S. Sen. Rob Portman, from the hospital board of trustees, because of the \$3.5 million her husband received in campaign contributions from the National Rifle Association, reports Cincinnati.com's Anne Saker. But a hospital official says Jane Portman will stay.

= 9

Hold on Lab lovers: PETA is worried about Republican Rep. Jeffrey Rezabek's bill that would recognize the Labrador retriever as the official state dog of Ohio, reports the Columbus Dispatch's Jim Siegel. Although the animal welfare organization recognizes the good intentions of the bill, it fears that it could encourage puppy mills to produce the dogs in greater numbers.

= 9 **Full Disclosure**

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Five things we learned from Salem Republican Rep. Tim Ginter's May 15 ethics disclosure statement.

= A 1. He's a pastor at Church of the Center in Salem, in addition to his work as a lawmaker. In 2016, he earned \$66,584 legislating and \$25,000 to \$49,999 preaching.

= 9

2. He is invested in the Ohio Public Employees Retirement System, Ohio Public Employees Deferred Compensation and three mutual funds.

= 9 3. He owed at least \$1,000 each to Chase Freedom and Bank of

America in 2016.

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4. The state reimbursed him \$5,424.64 in mileage between Columbus and Mahoning County.

= A 5. He received a gift valued at over \$75 from GOP donor Virginia Ragan.

= 9 **What's Going On Today**

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8 to 9:30 a.m. – Reps. Tim Ginter and Bill Reineke fundraising breakfast: The Republicans are seeking donations between \$350 and \$1,000. *Athletic Club of Columbus, 136 E. Broad St.*

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8 to 9:30 a.m. – Reps. Emilia Sykes and Brigid Kelly fundraiser: The Democrats are seeking contributions between \$350 and \$1,000. *Einstein Bros. Bagels, 41 S. High St.*

= 9 **8:30 a.m. to 5 p.m. – Southwest Ohio Advocacy Day:** The event is being held by the Cincinnati USA Regional Chamber of Commerce. *Ohio Statehouse.*

= 9 **9 a.m. to 10 a.m. – Immunization Advocacy Network of Ohio breakfast briefing:** Invited speakers include state Reps. Anne Gonzales and Al Landis, as well as members of the American Academy of Pediatrics' Ohio chapter. *Bistro Room, Capital Club, 50 S. Front St.*

= 9 **9 a.m. to 3 p.m. – Moms Demand Action for Gun Sense in America advocacy day:** The gun-control group will convene at Trinity Episcopal Church, 125 E. Broad St., before heading to the Ohio Statehouse.

= 9 **9 a.m. to 5 p.m. – American Traffic Services Safety Association advocacy day.** *Rotunda, Ohio Statehouse.*

= 9 **10 a.m. – Obhof to discuss report showing need for fewer regulations:** Senate President Larry Obhof is set to join George Mason University researchers to discuss their report showing the negative effect of regulations on Ohio's economy. *Harding Senate Press Room, Ohio*

Statehouse.

= 9 **10:30 a.m. to 1 p.m. – UFCW Ohio Lobby Day:** Members of the United Food and Commercial Workers union plan to speak with lawmakers.

= 9 **10:30 a.m. – Democratic senators to unveil gun safety bill:** Sens. Sandra Williams and Joe Schiavoni will be joined by representatives of Moms Demand Action. The event will be streamed live on the Ohio Channel. *Senate Minority Caucus Conference Room, Suite 230, Ohio Statehouse.*

= 9

11:30 a.m. to 1 p.m. – Rep. Scott Lipps fundraising luncheon: Sponsor levels for the Franklin Republican range from \$350 to \$1,000. *Due Amici, 67 E. Gay St.*

= 9 **Noon – AEI President Arthur Brooks to speak at luncheon:** The Buckeye Institute is hosting the event with the president of the American Enterprise Institute, a national conservative think tank. *Crystal Room, 2nd floor, Athletic Club of Columbus, 136 E. Broad St.*

= 9 **1:30 p.m. – Senate session.**

= 9 **1:30 p.m. – House session.**

= 9 **1:30 p.m. – UFCW to endorse Richard Cordray for governor:** The Democratic candidate plans to be on hand to accept the endorsement of the union. *West side steps, Ohio Statehouse.*

= A **1:30 p.m. – Public Utilities Commission of Ohio meeting.** *Room 11B, 180 E. Broad St.*

= 9 **2:30 p.m. – Senate Energy and Natural Resources Committee:** The panel may amend legislation to plug orphaned oil and gas wells (House Bill 225). *Finance Hearing Room, Senate Building.*

= A **3:45 p.m. – DeWine, Husted to meet with SW Ohio law enforcement leaders:** Republican gubernatorial candidate Mike DeWine

and running mate Jon Husted are scheduled to hold a news conference with Hamilton County Prosecutor Joe Deters and Butler County Sheriff Richard Jones. *12th floor, Residence Inn Downtown Cincinnati, 506 E. 4th St., Cincinnati.*

= 9

4 to 6 p.m. – Ohio Energy Group legislative reception. *Atrium, Ohio Statehouse.*

= 9 **5 to 7 p.m. – Sen. Kenny Yuko fundraiser:** Sponsor levels for the Senate minority leader range from \$500 to \$2,500. *Milestone 229, 229 Civic Center Dr.*

= 9 **5 to 6:30 p.m. – Reps. Bob Cupp and Dick Stein fundraiser:** The Republicans are seeking contributions between \$350 and \$1,000. *The Buckeye Bourbon House, 36 E. Gay St.*

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5:30 to 7 p.m. – Reps. Tavia Galonski and Catherine Ingram fundraiser: The Democrats are seeking donations between \$250 and \$1,000. *Westies Gastropub, 940 S. Front St.*

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6 p.m. – Kevin Bacon congressional fundraiser: The Republican candidate for Ohio 12th Congressional District is seeking contributions between \$100 and \$1,000. *Old Bag of Nails-Pour House Tavern, 57 Mill St., Gahanna.*

= 9 **Birthdays**

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Joseph Vance, Ohio's 13th governor (1786)

= 9 **Straight From The Source**

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"Congressman, I want to keep you focused on this, and respectfully, let= 2s..."

= 9 "I want to keep you focused on the facts."

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-MSNBC's Katy Tur and U.S. Rep. Jim Jordan of Champaign County, respectively, during a heated TV discussion Monday about President

Donald Trump and Special Counsel Robert Mueller's Russia investigation.

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One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at Capitolletter@cleveland.com.

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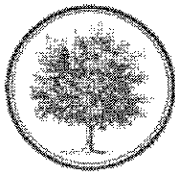
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From: The Buckeye Institute
Sent: Wednesday, March 21, 2018 10:17 AM
To: Kasych, Shawn
Subject: Buckeye Highlights New Research on Negative Economic Impact of Ohio's Growing Regulatory System

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THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

March 21, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

Buckeye Highlights New Research on Negative Economic Impact of Ohio's Growing Regulatory System

Columbus, OH -- At a press conference with Ohio Senate President Larry Obhof and Dr. James Broughel, a research fellow with the Mercatus Center at George Mason University, **The Buckeye Institute's** president and chief executive officer Robert Alt highlighted the negative impact of government regulations on Ohio's economic growth and the burden of occupational licensing specifically.

The press conference released **A Snapshot of Ohio Regulation in 2018**, which found that Ohio is one of the most heavily regulated states with nearly 247,000 restrictions, far more than neighboring states like Michigan, Pennsylvania, Kentucky, and West Virginia.

"We have long known that Ohio's regulatory system is hurting our economy and hurting Ohio workers. This new Mercatus research draws a stark comparison between what businesses and employees in Ohio experience versus our neighboring states," said Robert Alt, president and chief executive officer at The Buckeye Institute. "This isn't just a story of the number of regulations, this is a story of people. People who want to enter a new career field but can't due to the costs. People who want a promotion at work they are qualified for save for a simple piece of paper that says the word license. People who want to build a better future for themselves and their families. We must remember these people when looking at occupational licensing."

The Impact of Occupational Licensing

- Ohio likely sacrifices tens of thousands of potential jobs due to occupational licensing.
- A report by **The Buckeye Institute** found that the burden of Ohio's occupational licensing requirements has a greater impact on middle-aged and low-income workers, and those without a college degree.
- According to the **Hamilton Project**, 18 percent of Ohioans require an occupational license in order to earn a living in their chosen profession.
- A **W.E. Upjohn Institute** study revealed that the cost of hiring a licensed worker is approximately 15 percent higher than an unlicensed worker with the same level of experience doing the same job.
- **The Foundation for Economic Education** found that households in Ohio could save \$775 per year with occupational licensing reform.

In his remarks, Alt highlighted the story of Dawn Hochwalt, a salon manager from Dayton, Ohio who sees first-hand how Ohio's burdensome regulations impact her employees and her business, with little to no benefit to public health and safety. She also sees the impact the rising costs of cosmetology school has on her colleagues whose wages are being garnished to repay student loans. As Hochwalt said recently, "When I was in school it cost around \$6,000 to go to school and get a license, now that cost is \$20,000 or more. That debt is putting a tremendous burden on young people and the 1,500 hours they need to earn their license means they are not able to get on the salon floor to earn a living and pay off their debt."

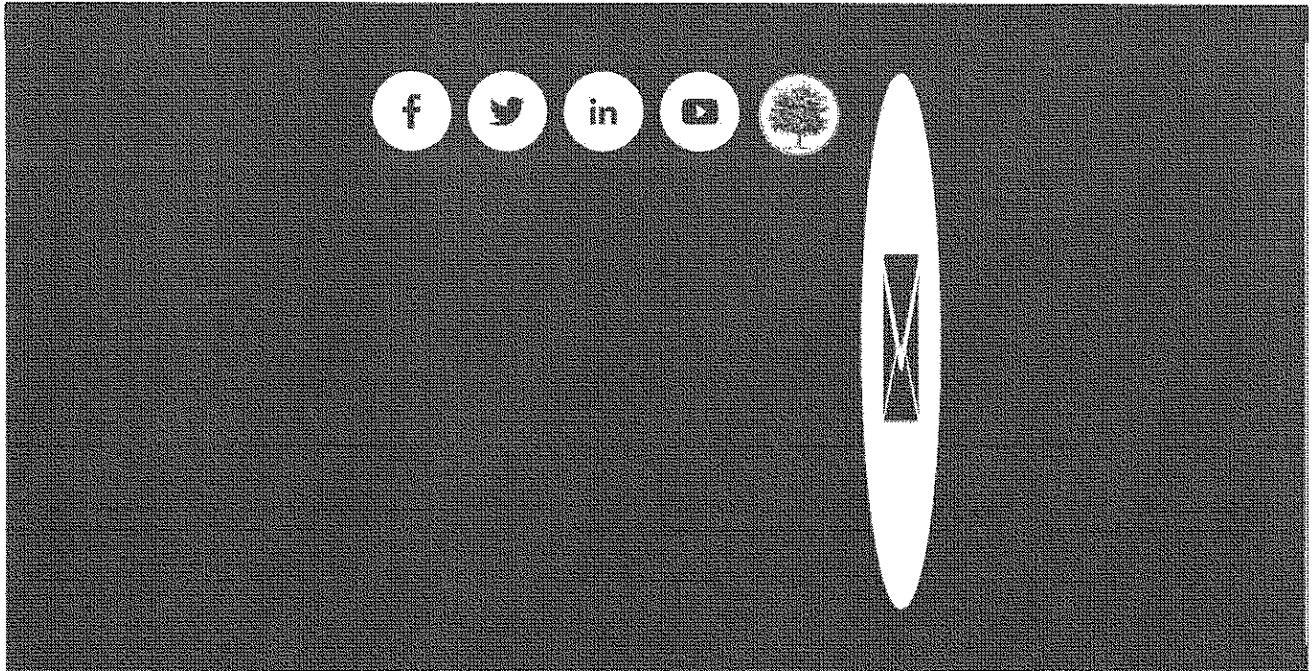
Reforms such as those found in Senate Bill 255, which would permit licensing only in clear cut and verifiable cases to ensure public safety, and reforms such as those found in House Bill 189, which would lower the number of hours needed for a cosmetology license from

1,500 to 1,000 (the same number of hours as required in New York) would make it easier for Ohioans to begin their careers, earn a living, and move ahead in their chosen field.

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.



The Buckeye Institute, 88 East Broad Street, Suite 1120, Columbus, OH 43215

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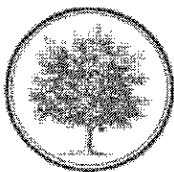
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Sent by info@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Wednesday, March 21, 2018 10:27 AM
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Subject: A truly free lunch *today in Columbus!

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When you were growing up, your dutiful parents may have taught you (correctly so) that there is no such thing as a free lunch.

However, due to Arthur Brooks' flight cancellation, we had to cancel our luncheon event with him today at noon at the Athletic Club of Columbus.

As a result, we still have 80 pre-paid meals that we are on the hook for.

It's pan seared chicken, red skin mashed potatoes, and asparagus. Brownies too.

In an act of simultaneous frugality and generosity, we invite all of you to join our Buckeye staff in a consolation lunch that is free to all comers today only.

Please come on over if you are in Columbus and would like to show your parents that they were wrong just this one time.

Again, free lunch on Buckeye. No obligation. No program to listen to.

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Noon. Athletic Club of Columbus. Second Floor. Crystal Room. TODAY!

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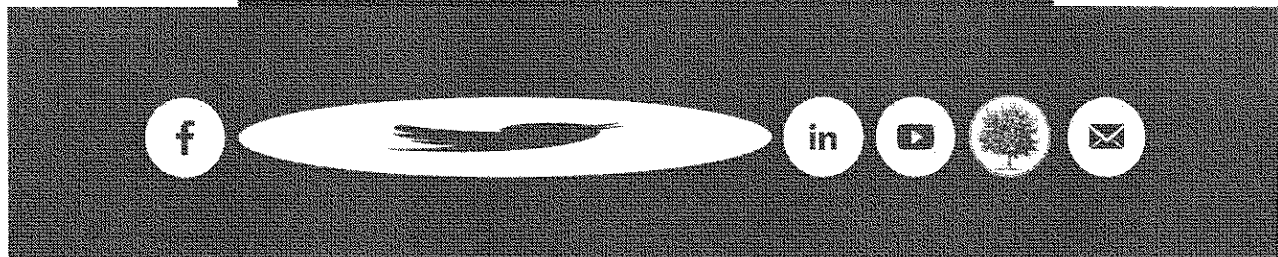
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Thursday, March 22, 2018

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Capitol Letter

Laura Hancock and Jeremy Pelzer

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Throughout the day – Ohio YMCA Youth and Government State Assembly, District 1. *Ohio Statehouse.*

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10 a.m. – State Employment Relations Board. 12th floor, 65 E. State St.

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10 a.m. – Director of National Institutes of Health to talk about opioid addiction: Director Francis Collins will talk to Ohio State University

professors. *Patricia & Steven Gabbe Conference Room (L045), The James Cancer Hospital, 460 W. 10th Ave.*

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11 a.m. – Cuyahoga County, Cleveland leaders to launch tax levy campaign: County Executive Armond Budish, Mayor Frank Jackson, and county council members are scheduled to kick off the campaign for Issue 9, a countywide levy that would fund health and human services programs. *MetroHealth Medical Center, 2500 MetroHealth Dr., Cleveland.*

= 9 **11:30 a.m. – Opioid technology winners to be announced:**

Following the roundtable with professors, inaugural winners of Ohio State's new Opioid Innovation Fund grants will be announced. *Room B050, The James Cancer Hospital.*

= 9 **5:30 p.m. ? 3 ProgressOhio to host discussion on gun violence:**

Scheduled panelists include Rep. Kristin Boggs and Dr. Anita Somani with the Physicians Action Network, among others. *ProgressOhio Offices, 35 East Gay St.*

= 9 **5:30 to 7:30 p.m. – Kevin Bacon congressional fundraiser:** The Republican candidate for Ohio's 12th Congressional District is seeking \$500 per couple and \$1,000 host level. *The Lakes Golf and Country Club, 6740 Worthington Rd., Westerville.*

= 9 **Birthdays**

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John Gilligan, Ohio's 62nd governor (1921-2013)

= 9 **Straight From The Source**

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"I find it insulting that Mike DeWine is comfortable calling me names while hiding behind an ad agency but refuses to say them to my face in a debate. He lacks the courage to stand across from me under the lights and answer for his record. Ohio deserves better."

= 9 - Lt. Gov. Mary Taylor, who is facing DeWine in the GOP primary for governor, in a tweet on Wednesday. DeWine's campaign announced a

statewide television ad Tuesday about Taylor called "Unfit. Unqualified."

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From: Capitol Letter

Sent: Thursday, March 22, 2018 6:15 AM

To: Kasych, Shawn

Subject: General Assembly gives final OK to \$2.6B capital budget

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Thursday, March 22, 2018

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Capitol Letter

Laura Hancock and Jeremy Pelzer

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Rotunda Rumblings

= 9 **Smooth sailing:** A \$2.6 billion capital budget is headed to Gov. John Kasich's desk after easily clearing the Ohio Senate on Wednesday. The proposal, similar in size to the 2016 capital budget, includes (among other things) \$600 million for K-12 local school construction capital projects, \$514 million for local infrastructure projects via the Public Works Commission, \$483 million for colleges and universities, and \$234 million for trails and parks. As legislative leaders had predicted, House Bill 529 zipped quickly through the General Assembly with few hearings, no changes, and minimal opposition.

= 9 **In other Senate action:** Senators passed Senate Bill 216, the "Public School Deregulation Act," which (among other things) would allow a superintendent to hire teachers for grades or subject areas for which they are not licensed, increase to seven years the time non-teaching school employees must work to receive tenure, and change teacher evaluations. The measure now heads to the House.

= 9 **Zippping out of the House:** Under Senate Bill 170, veterans would be able to drive semis without having to take a commercial driver license skills test if they operated a truck at any time within two years of getting out of the military. Currently, drivers can only waive the test if they have regularly operated a truck in the two years. The bill, which passed the House on Wednesday, heads back to the Senate for concurrence.

= 9 **Headed to Kasich's desk:** Lawmakers gave final approval Wednesday to a bill creating a permanent three-day sales tax holiday for back-to-school shopping each August. Clothes up to \$75 are tax exempt under Senate Bill 226, and school supplies and instructional materials up to \$20 are tax exempt. The bill was amended in a House committee to allow educational service centers to put school safety levies on the ballot.

= 9 **House party:** Headed to the Senate are a number of measures the House adopted during Wednesday's session, including a measure that would require drivers to watch, listen and potentially stop not only for approaching trains but other on-track equipment (House Bill 190). Local governments, before filing a tax complaint or counter-complaint, would have to adopt a resolution approving the complaint (House Bill 343). The chamber advanced legislation that regulates dog breeders, attempting to head off a puppy mill constitutional amendment (House Bill 506). A bill that would set up a multi-state compact offering prizes for the cure of major diseases (House Bill 345) also passed.

= 9 **Excessive regulation?** Ohio law contains 246,852 regulatory restrictions, making it the third-most regulated state of the 22 the Mercatus Center at George Mason University has studied, George Mason research fellow James Broughel said at a Wednesday press conference. Ohio Senate President Larry Obhof called the regs red tape that gets in the way

of economic growth. The Republican said to expect legislation in coming weeks to reduce regs by perhaps 30 percent over the next three or four years. The departments with the most regs were the Ohio Lottery Commission, Environmental Protection Agency and the Division of the State Fire Marshal.

= 9

More time to enact regs? Ohio has a nearly full-time legislature, as do New York and Illinois, which were Nos. 1 and 2 in the Mercatus study. Arizona had the least number of regs and has a legislature that generally meets 100 days a year. Broughel said he plans to eventually study whether longer legislative sessions lead to more regulations, since lawmakers have more time to drum up legislation. He also said state population plays into how long a legislature meets.

= 9

Winning the home front: Richard Cordray is trying to nail down support in his home turf of Franklin County. The Democratic gubernatorial candidate from suburban Columbus unveiled endorsements from more than 50 local leaders this week, including ex-Mayor Michael Coleman, Franklin County Commissioners Marilyn Brown and John O'Grady, Columbus City Attorney Zach Klein, and Columbus City Council President Shannon Hardin. Cordray's also trying to score the Franklin County Democrats' endorsement at their meeting next week. "I think we seek endorsements whenever people are willing to consider endorsements," he told Capitol Letter on Wednesday.

= 9

Speaking of endorsements: Cordray was at the Statehouse Wednesday to accept the backing of the United Food and Commercial Workers union, which represents about 80,000 grocery, pharmacy, manufacturing and health-care workers in Ohio. Cordray pledged, if elected, to fight so-called right-to-work measures that would prohibit private-sector union membership as a condition of employment.

= 9

Law-enforcement backup: Republican Mike DeWine's gubernatorial campaign on Wednesday announced endorsements from 47 county sheriffs and 40 county prosecutors, including Hamilton County Prosecutor Joe Deters and Butler County Sheriff Richard Jones.

= 9 **Thompson backs Gibbons:** Conservative GOP Rep. Andy Thompson

is endorsing Cleveland-area businessman Mike Gibbons for U.S. Senate, Gibbons' campaign announced Wednesday, bucking the Ohio GOP leadership who chose U.S. Rep. Jim Renacci for the race.

= 9

Stories We're Talking About

= 9 **Halt:** Ohio's attempt to shut down red light and speed cameras on Wednesday passed the Ohio House, and now goes to the Senate for review, cleveland.com's Jackie Borchardt writes. "Unlike previous attempts to shutter the controversial technology, House Bill 410 doesn't put restrictions on the cameras," Borchardt writes. "Instead, it makes cities lose money by moving camera-initiated violations to municipal court and deducting money from state appropriations in the amount cities and villages generate from camera tickets."

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Abstinence only: The former head of Ohio's sexual abstinence programs contributed to the Trump administration decision to end a federal grant program to combat teen pregnancy, according to documents obtained in a lawsuit over the abandoned grants, cleveland.com's Sabrina Eaton reports. The documents "indicate that Valerie Huber - who managed Ohio's abstinence programs between 2004 and 2007 and later became president of the National Abstinence Education Association - was among the HHS officials who decided to end the program," Eaton writes.

= 9 **Kasich in California:** Ohio Gov. John Kasich appeared in Sacramento with former California Gov. Arnold Schwarzenegger, who encouraged Ohio's governor to make another run for president, Columbus Dispatch reporter Randy Ludlow writes. "John, get back to Washington and kick some butt and take care of this mess, once and for all. We can't take it anymore," Schwarzenegger said.

= 9

Dangerous? No guns for you: Two Ohio senators introduced a bill that would allow law enforcement officials to confiscate guns from people a court rules are dangerous to themselves or others, cleveland.com's Borchardt writes. "We're not trying to take away anybody's rights; we're trying to make sure that we keep people safe," said state Sen. Joe Schiavoni, who sponsored the bill along with Sen. Sandra Williams.

= 9 **From the suburbs to Washington:** Students from the Cleveland suburb of Lakewood will travel to Washington, D.C. to participate in the "March for our Lives" gun control rally on Saturday, cleveland.com's Eaton reports. "We had never seen students be completely empowered by this terrible thing that happened," said Lakewood High School student Izzy Bryson. "This could be our school next. I don't want to fear that I will lose one of my friends or teachers."

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Getting ugly: Ohio gubernatorial candidate Republican Mike DeWine's campaign took a play from President Donald Trump's playbook on Twitter Wednesday and attacked primary opponent Lt. Mary Taylor, the Dispatch's Ludlow reports. The tweet accused Taylor of "criminal" activity for flying on a state plane for personal use, and included the hashtag #LockHerUp. "The tweet represented the most extreme accusation yet in a continuing DeWine theme against Taylor," Ludlow writes.

= 9 **Close the loophole:** A bill backed by Ohio U.S. Sen. Rob Portman that would close an Internet law loophole passed the U.S. Senate on Wednesday, cleveland.com's Stephen Koff reports. The loophole has protected "classified ad websites such as Backpage.com from liability when they ran ads for minors being offered as prostitutes," Koff writes.

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Full Disclosure

= 9 Five things we learned from the May 15 financial disclosure statement of Rep. Brian Hill, a Zanesville Republican.

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1. His two main sources of income are his legislative salary of \$60,584 and his farm, from which he earned between \$50,000 and \$99,000.

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2. The state reimbursed him \$2,271 for mileage, as well as \$622.80 for travel and expenses to attend the Council of State Governments' State Ag and Rural Leaders conference.

= 9 3. He listed dividend payments of up to \$999 each from Primerica, Muskingum Livestock, Edward Jones, AT&T, Huntington Bank and Invesco.

= 9 4. He collected rent payments between \$1,000 and \$9,999 from two different properties he owns.

= 9 5. At various times during 2016, he owed more than \$1,000 to a number of agricultural companies, as well as three banks and a Mastercard account.

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On The Move

= 9 Cuyahoga County Republican Party Chair Rob Frost has been appointed to the Kent State University Board of Trustees by Gov. John Kasich. Frost, a Lakewood attorney, fills the seat of Stephen Colecchi, whose term expired last year.

= 9 What's Going On Today

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Throughout the day – Ohio YMCA Youth and Government State Assembly, District 1. *Ohio Statehouse.*

= 9 **8 to 9:30 a.m. – John “Bud” O’Brien fundraising breakfast:** The Republican candidate for House District 80 is seeking donations between \$250 and \$500. *Athletic Club of Columbus, 136 E. Broad St.*

= 9 **9 a.m. – Joint Education Oversight Committee:** The panel is set to hear a presentation and discussion of its revised Early Learning and Development Report, as well as an update on research projects. *South Hearing Room, Senate Building.*

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More than a century of research has found strong connections between income and health. As a group, people with higher incomes live longer and experience better mental and physical health outcomes. Understanding how income influences health can inform policies, programs and resource allocation to improve both the health and economic wellbeing of Ohioans.

Health Policy Institute of Ohio will host a webinar to share highlights from a recent publication, **Connections between Income Health**. A panel of experts will discuss current state-level initiatives to improve incomes and employment opportunities for Ohioans.

Speakers include:

- **Michael Evans**, Project Manager, Ohio Governor's Office of Workforce Transformation
- **Greg R. Lawson**, Research Fellow, The Buckeye Institute
- **Zach Real**, Health Policy Analyst, Health Policy Institute of Ohio

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Sincerely,

Alana Clark-Kirk
Health Policy Institute of Ohio
aclarkkirk@healthpolicyohio.org
614-545-0755

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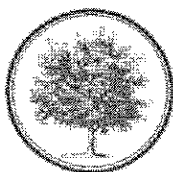


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THE BUCKEYE INSTITUTE

It's Time to Cut Ohio's Film Tax Credit

By Quinn Beeson and Tyler Shankel
March 23, 2018

It's not often that **The Buckeye Institute** agrees with **Policy Matters Ohio**, but when it comes to opposing the increase of the special interest motion picture tax credit, we do!

Policymakers are proposing increasing this special interest film tax credit, currently capped at \$40 million a year, to a whopping \$100 million annually and broadening it to include some Broadway productions, claiming that this tax credit will incentivize Hollywood and Broadway producers to set up shop in Ohio. What it really does is waste your tax dollars on a multi-billion-dollar industry that doesn't need handouts from Ohioans.

This proposal would cost **Ohio's General Revenue Fund** \$58 million and local government and public libraries an additional \$2 million annually. The Ohio Legislative Service Commission has estimated that the bill will result in a \$60 million loss in total revenue per year.

One example of a state who has already gone through this issue is Massachusetts and its own film tax credit. According to **their annual report in 2011**, the spending cuts necessary to pay for the tax credit resulted in more than 1,400 lost jobs, so only 222 jobs were gained statewide, at a cost of \$325,000 each. In **their 2014 report**, they found the program actually destroyed more jobs than it created in 2010. From 2006 until 2014, this tax incentive has only generated \$0.14 in revenue for every dollar spent, costing Massachusetts \$471.6 million.

When alternative job creation policies are considered, it becomes clear that the inconsistencies and costs of such special interest tax credits makes them a poor policy choice, and all the supposed gains appear paltry in the face of smarter alternatives. In 2011, **North Carolina compared their film tax credit to an across-the-board reduction in taxes of the same value**. The incentive was estimated to have created 50-70 new jobs, while a business tax reduction would create 370-450 new jobs, cost the same, and benefit all businesses equally-not just well-connected filmmakers.

When it comes down to it, Ohio taxpayers should not be giving handouts to movie and Broadway producers. Extending this film credit will only hurt Ohioans and Ohio's businesses. Ohio policymakers should nix the film tax credit altogether, as we suggested the **last time** an increased cap was proposed, just two years ago.

Ohio taxpayers' hard-earned money would be better spent on projects that benefit the entire state, not just those benefiting the entertainment industry.

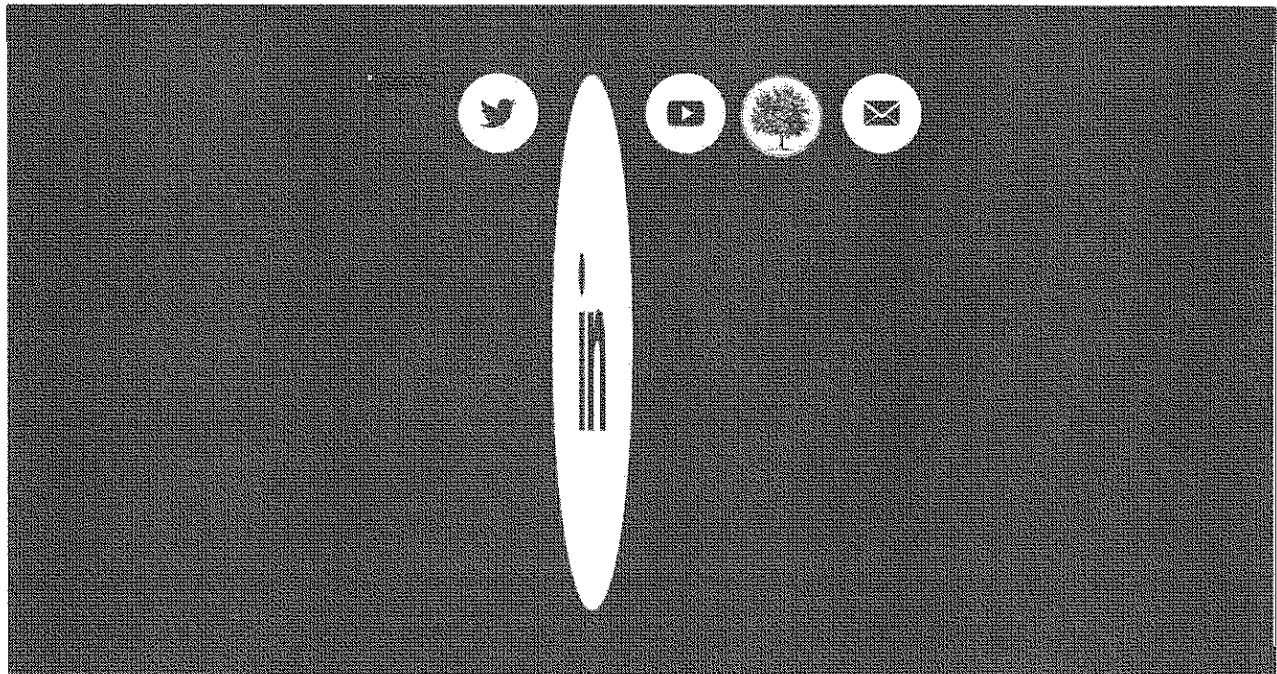
*Quinn Beeson is an economic research analyst and Tyler Shankel is an economic policy analyst. Both are with The Buckeye Institute's **Economic Research Center**.*

###

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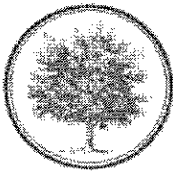
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THE BUCKEYE INSTITUTE

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March 23, 2018

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Ohio's Unemployment Rate and Job Growth Moving in the Right Direction

Columbus, OH -- Andrew J. Kidd, Ph.D., an economist at The Buckeye Institute's **Economic Research Center (ERC)** commented on newly released employment data from the **Ohio Department of Job and Family Services**.

"Ohio's unemployment rate continued its downward trend from 4.7 percent in January to 4.5 percent in February, showing positive trends in the state's labor market. The report also revealed a relatively unchanged labor force participation rate, which implies that those who were searching for jobs found them. This is good news for job seekers.

"However, Ohio still sits above the national unemployment rate of 4.1 percent, and with a lower labor force participation rate than the national average. This shows that Ohio still needs further reforms to create and sustain job growth, and one area ripe for **reform is occupational licensing**.

"Ohio experienced another great job creation month with a 19,600 increase in non-farm private employment in February 2018, more than double the growth from January 2018. This marks consistent gains over the past two months, indicating Ohio's labor market is continuing to expand. Nearly every sector experienced job growth, with substantial increases in manufacturing (2,900) and health care and social assistance (3,700). Employment in the health care industry will be important to responding to the health needs of an aging population in Ohio. Although there was a decrease in employment in arts, entertainment, and recreation, special interest tax credits for the entertainment industry are **not a cost-effective policy solution** to increasing growth in this industry.

"Ohio is continuing to see positive job growth path, yet an unchanged labor force participation rate is concerning as it shows some individuals are discouraged from job searching. Occupational licensing reform can reduce those disincentives, and, combined with eliminating special interest tax credits, will help Ohio to reach its goal of being a national leader in job creation."

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